

# PUBLIC DEFENDER COMMISSION



*With Governor's  
Recommendations*

**Missouri State Public Defender System  
Budget Request  
Fiscal Year 2020**

# **PUBLIC DEFENDER COMMISSION**

## **Budget Request Fiscal Year 2020**

### **GOVERNOR'S RECOMMENDATIONS**

**Michael Barrett  
State Public Defender, Director  
573-526-5212  
573-508-7722**



**Office of the State Public Defender  
231 East Capitol  
Jefferson City, Missouri 65101**

573-526-5210 – Phone      573-526-5213 – Fax

October 1, 2018

Dear Governor Parson:

Enclosed please find the 37<sup>th</sup> budget request for the Missouri State Public Defender System (MSPD). As you are aware, MSPD's mission is to carry out the state's obligation to provide competent counsel to Missourians who are poor and face a loss of their liberty following a criminal conviction.

Over the course of the past couple of years, Missouri has climbed to 8<sup>th</sup> highest in the rate at which it incarcerates its citizens, with approximately 50% of individuals incarcerated for a non-violent offense, while contemporaneously reaching 11<sup>th</sup> among the states in violent crime rate.

These outcomes suggest that the prison population, and its budget, is continuing to grow without any positive impact on the state's violent crime rate. In addition to helping the state fulfill its obligation under the 6<sup>th</sup> and 14<sup>th</sup> amendments, MSPD's aim is to make sure that taxpayers are not burdened with the enormous costs of incarceration if a person can be effectively managed in the community. Without adequate resources, however, MSPD's ability to provide representation for each client is nearly impossible. Regrettably, this often results in more people going to state prison for low-level or non-violent offenses, including for violating their probation. Not only does this break up families, it needlessly inflates the reliance on welfare when families are forced to break up.

This is particularly so for young Missourians who must navigate the juvenile justice system. According to a 2015 Department of Justice report, poor children in Missouri are systematically denied the right to counsel because there are not enough public defenders. In one jurisdiction, the lone juvenile defender had between 300-400 juvenile clients at one time. This leads to unjust outcomes, not just for the child, but also for the State. Without sufficient juvenile defenders, too many children needlessly go to the Department of Corrections, even though most youth are charged with low-level non-violent offenses. Helping children avoid adult prison significantly reduces the likelihood that they will re-offend as the recidivism rate for children sentenced to the Division of Youth Services is only 13.7%, compared to a 40% recidivism rate for children sentenced to the Department of Corrections. The National Juvenile Defender Center which investigated Missouri, found that with the exception of a few counties, "youth are discouraged from and systematically denied counsel throughout the state."

Therefore, it is my responsibility to submit a budget request that accurately reflects the task that is before us. Without a budget that mirrors the workload that the state has placed on MSPD, constitutional violations will undoubtedly continue and Missouri will continue to achieve poor outcomes in both its incarceration rate and public safety.

Very truly yours,

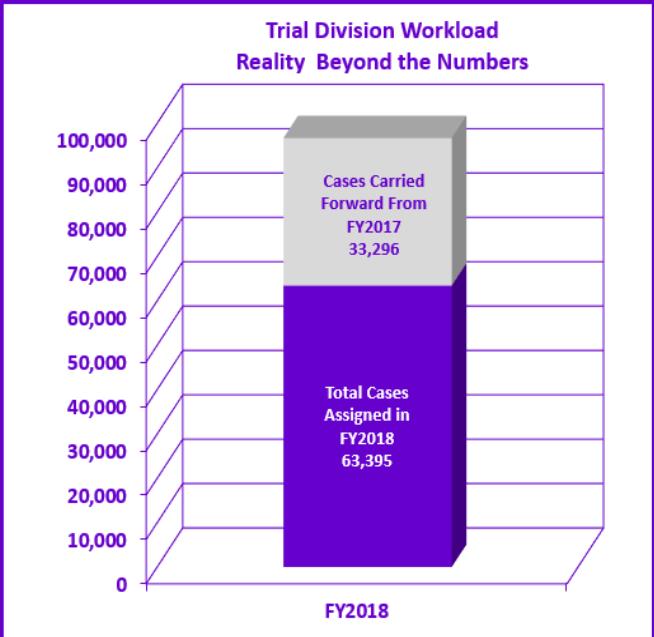
A handwritten signature in black ink, appearing to read "MKB" followed by a stylized surname.

Michael Barrett  
Director, Missouri State Public Defender

**State Public Defender  
2020 Legislative Budget Request  
Table of Contents**

|   |     |
|---|-----|
| Program Description Summary .....                                 | 1   |
| Decision Item Summary – Legal Services .....                      | 12  |
| Legal Services Core Request .....                                 | 14  |
| Decision Items  |     |
| FY2020 Pay Plan—Legal Services.....                               | 18  |
| CTC FY2019 Pay Plan—Legal Services.....                           | 23  |
| Juvenile Advocacy Offices.....                                    | 27  |
| Contract Fee Rates.....   | 35  |
| Springfield Appellate Office .....                                | 41  |
| Office Space Requirements.....                                    | 50  |
| Constitutionally Mandated Representation .....                    | 58  |
| Social Worker Pilot Worker .....                                  | 68  |
| Homicide/Conflict Cases & Litigation Expenses –Core Request ..... | 75  |
| Legal Defense and Defender Fund – Core Request.....               | 79  |
| FY2020 Pay Plan—Legal Defense & Defender Fund.....                | 83  |
| CTC FY2019 Pay Plan—Legal Defense & Defender Fund .....           | 86  |
| Debt Offset Escrow Fund – Core Request.....                       | 90  |
| Increase in Transfer Authority for Debt Offset .....              | 93  |
| Federal & Other – Core Request .....                              | 98  |
| FY2019 Public Defender Supplemental Request.....                  | 102 |
| Juvenile Advocacy Offices .....                                   | 103 |
| Increase in Transfer Authority for Debt Offset .....              | 109 |

| PROGRAM DESCRIPTION  |   |
|--|---|
| <b>Department:</b> Office of the State Public Defender   | <b>HB Section(s):</b> HB 12.400   |
| <b>Program Name:</b> Public Defender   |   |
| <b>Program is found in the following core budget(s):</b>   | <b>This program is found in all MSPD core budgets. MSPD has only one mission and only one program - to provide effective legal representation to indigent persons accused of crime.</b> |
| <p><b>1a. What strategic priority does this program address?</b></p> <p>The single overriding goal of the Office of the Missouri State Public Defender System is to provide effective criminal defense representation for its clients fulfilling the office's constitutional mandate. Strategies to accomplish this mission have been identified and implemented with continued refinements to enhance productivity, efficiencies, whereby reducing costs and eliminating waste in the processes and operations that deliver such services.</p>  |   |
| <p><b>1b. What does this program do?</b></p> <p>The Missouri State Public Defender System [MSPD] is a statewide system that provides legal representation to poor persons who are accused or convicted of state crimes in Missouri's trial, appellate, and Supreme courts. Carrying out these functions fulfills the state's obligation to provide the right to counsel under the state and U.S. Constitutions to those who cannot afford it.</p>  |   |
| <p><b>2a. Provide an activity measure(s) for the program.</b></p> <p>In Fiscal Year 2019, The Missouri State Public Defender System's 369.50 Trial and Appellate lawyers closed 71,238 cases last year, appearing in every courthouse in every county across the state, at an average cost to the state's taxpayers of just \$365.56 per case. This astonishingly low cost of indigent defense in Missouri – among the lowest in the nation -- is not a cause for celebration. It comes at the cost of justice, the result of widespread failure to provide indigent defendants the effective assistance of counsel that the U.S. Constitution's Bill of Rights guarantees them. There is a limit to the 'Do More With Less' mantra within the arena of criminal justice, and Missouri passed it sometime ago.</p> |   |

| PROGRAM DESCRIPTION   |  |          |                 |                                |        |                                   |        |
|---|--|----------|-----------------|--------------------------------|--------|-----------------------------------|--------|
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| <p><b>2b. Provide a measure(s) of the program's quality.</b></p> <p>Unfortunately, the Missouri State Public Defender System is not currently able to meet many of these standards because it is staffed to handle only a percentage of the total caseload assigned to it this last year. The overload has forced lawyers and investigators alike to cut corners, skip steps, and make on-the-fly triage decisions in order to keep up with the deluge of cases coming in the door. As a result, effectiveness in many of these cases is seriously compromised.</p>   |  |          |                 |                                |        |                                   |        |
| <p><b>2c. Provide a measure(s) of the program's impact.</b></p> <p>In FY2018, MSPD provided representation in 75,419 new cases. The Public Defender Commission sets the indigency guidelines that are used to determine who is eligible for public defender services. Currently, those guidelines match the Federal Poverty Guidelines. Strictly applied, that would mean an individual making only \$12,000 a year would not qualify for a public defender. According to recent reports, Missouri ranks 50<sup>th</sup> out of 50 states in income eligibility standards for public defender services, leaving a wide gap of ineligible defendants who in reality still lack the means to retain private counsel in the market. The guidelines, however, do allow for the taking into consideration of all of the defendant's particular circumstances affecting his/her ability to hire counsel, so things such as the seriousness of the charge may impact that decision. Defendants have the right to appeal MSPD's denial of their application to the court for an independent review of their eligibility. If the court finds they are unable to afford private counsel, the court can overrule the public defender denial.</p> <p>In addition to the cases opened in Fiscal Year 2018, public defenders must provide representation in those cases that were opened in prior fiscal years and have not yet been closed, as the table on the right illustrates.</p> |  |          |                 |                                |        |                                   |        |
|  <p>The chart is a 3D bar chart titled "Trial Division Workload Reality Beyond the Numbers". It shows two bars representing different categories of cases. The vertical axis represents the number of cases, ranging from 0 to 100,000 in increments of 10,000. The horizontal axis represents the fiscal year, labeled "FY2018". The first bar, colored dark blue, is labeled "Total Cases Assigned in FY2018 63,395". The second bar, colored light gray, is labeled "Cases Carried Forward From FY2017 33,296".</p> <table border="1"> <thead> <tr> <th>Category</th> <th>Number of Cases</th> </tr> </thead> <tbody> <tr> <td>Total Cases Assigned in FY2018</td> <td>63,395</td> </tr> <tr> <td>Cases Carried Forward From FY2017</td> <td>33,296</td> </tr> </tbody> </table>   |  | Category | Number of Cases | Total Cases Assigned in FY2018 | 63,395 | Cases Carried Forward From FY2017 | 33,296 |
| Category  | Number of Cases  |          |                 |                                |        |                                   |        |
| Total Cases Assigned in FY2018  | 63,395   |          |                 |                                |        |                                   |        |
| Cases Carried Forward From FY2017   | 33,296   |          |                 |                                |        |                                   |        |

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| 2d. Provide a measure(s) of the program's efficiency.  |  |
| <p>There are three primary measures of effectiveness applicable to the Missouri State Public Defender System:</p> <p>(1) <b>Case Law:</b> Through cases ruled upon by the United States Supreme Court, the Missouri Supreme Court and Courts of Appeal, specific standards of what does or does not constitute effective assistance of counsel in the representation of a criminal defendant have evolved. Where an attorney is found by the court to have failed to meet those standards, any conviction of the defendant must be set aside.</p> <p>(2) <b>Missouri Rules of Professional Responsibility</b> are established by the Missouri Supreme Court and applicable to every attorney licensed to practice law within the State of Missouri. The Rules set out what is expected from a competent, professional attorney and are enforced by the Missouri Supreme Court through its Office of Chief Disciplinary Counsel. Failure to comply with these rules can result in actions being taken against the attorney's license, ranging from a formal reprimand up to and including permanent disbarment from the right to practice law within the state.</p> <p>(3) <b>MSPD Guidelines for Representation</b> adopted by the Missouri State Public Defender Commission, which set out the Commission's expectations of its attorneys in order to meet the above standards for effective representation of clients served by Missouri Public Defenders.</p> <p>Unfortunately, the Missouri State Public Defender System is not currently able to meet many of these standards because it is staffed to handle only a percentage of the total caseload assigned to it this last year. The overload has forced lawyers and investigators alike to cut corners, skip steps, and make on-the-fly triage decisions in order to keep up with the deluge of cases coming in the door. As a result, effectiveness in many of these cases is seriously compromised.</p> <p><b>American Bar Association Ethical Advisory Opinion re Public Defender Caseloads:</b> In 2006, the American Bar Association issued an ethical advisory opinion warning against ethical violations caused by excessive defender caseloads and highlighting the fact that public defenders are not exempt from the professional obligation of all attorneys not to take on more cases than they can effectively handle. That opinion cited national caseload standards, as a base which should not be exceeded, but warned that other factors must also be taken into consideration, such as availability (or lack of) support staff to assist the attorneys, time taken away from case preparation by other non-case-related duties, such as travel, training, management, etc., and the specifics of local practice that could impact the amount of time needed for handling particular case types. <i>See, ABA Formal Opinion 06-441: Ethical Obligations of Lawyers who Represent Indigent Criminal Defendants When Excessive Caseload Interfere with Competent and Diligent Representation, May 13, 2006.</i></p> |  |

| PROGRAM DESCRIPTION   |  |  |  |                      |       |                    |      |                    |      |                      |      |             |      |          |      |             |      |                     |     |
|---|--|--|--|----------------------|-------|--------------------|------|--------------------|------|----------------------|------|-------------|------|----------|------|-------------|------|---------------------|-----|
| Department: Office of the State Public Defender   | HB Section(s): HB 12.400   |  |  |                      |       |                    |      |                    |      |                      |      |             |      |          |      |             |      |                     |     |
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| <p>Over the last ten years, the issue of Missouri Public Defender's workload has been the subject of five different studies: one by a Missouri Bar Task Force, two by <i>The Spangenberg Group</i>, an independent consultant, another by a Senate Interim Committee, and the most recent by the American Bar Association titled <i>The Missouri Project</i>. Each of these investigations reached the same conclusion: Missouri's public defenders have too many cases and not enough lawyers or support staff to fulfill the state's constitutional obligations.</p> <p>The most recent ABA study, conducted and overseen by RubinBrown of St. Louis, one of the nation's top accounting and business analytics firms, was designed to not only identify excessive work overloads – which it did -- but also to establish reliable case weights to determine what staffing levels are needed to match the existing workload (i.e., the average number of hours a competent attorney could expect to spend on a particular case type to provide competent representation).</p> <p>When these case weights are applied to MSPD's caseload, the number of staff MSPD would need to meet its existing caseload is 306 additional attorneys (see case weight metrics below). 289 attorneys are requested in the Constitutionally Mandated Representation decision item. 10 attorneys are requested in the Juvenile Advocacy decision item and 6 attorneys requested in a separate Springfield Appellate Office decision item</p> |  |  |  |                      |       |                    |      |                    |      |                      |      |             |      |          |      |             |      |                     |     |
| <table border="1"> <thead> <tr> <th colspan="2">ABA/RubinBrown<br/>Workload Study<br/>Hours Per Type of Case</th></tr> </thead> <tbody> <tr> <td>Non-Capital Homicide</td><td>106.6</td></tr> <tr> <td>A/B Felony Offense</td><td>47.6</td></tr> <tr> <td>C/D Felony Offense</td><td>25.0</td></tr> <tr> <td>Sex Offense - Felony</td><td>63.8</td></tr> <tr> <td>Misdemeanor</td><td>11.7</td></tr> <tr> <td>Juvenile</td><td>19.5</td></tr> <tr> <td>Appeals/PCR</td><td>96.5</td></tr> <tr> <td>Probation Violation</td><td>9.8</td></tr> </tbody> </table>  |  | ABA/RubinBrown<br>Workload Study<br>Hours Per Type of Case |  | Non-Capital Homicide | 106.6 | A/B Felony Offense | 47.6 | C/D Felony Offense | 25.0 | Sex Offense - Felony | 63.8 | Misdemeanor | 11.7 | Juvenile | 19.5 | Appeals/PCR | 96.5 | Probation Violation | 9.8 |
| ABA/RubinBrown<br>Workload Study<br>Hours Per Type of Case  |  |  |  |                      |       |                    |      |                    |      |                      |      |             |      |          |      |             |      |                     |     |
| Non-Capital Homicide  | 106.6  |  |  |                      |       |                    |      |                    |      |                      |      |             |      |          |      |             |      |                     |     |
| A/B Felony Offense  | 47.6   |  |  |                      |       |                    |      |                    |      |                      |      |             |      |          |      |             |      |                     |     |
| C/D Felony Offense  | 25.0   |  |  |                      |       |                    |      |                    |      |                      |      |             |      |          |      |             |      |                     |     |
| Sex Offense - Felony  | 63.8   |  |  |                      |       |                    |      |                    |      |                      |      |             |      |          |      |             |      |                     |     |
| Misdemeanor   | 11.7   |  |  |                      |       |                    |      |                    |      |                      |      |             |      |          |      |             |      |                     |     |
| Juvenile  | 19.5   |  |  |                      |       |                    |      |                    |      |                      |      |             |      |          |      |             |      |                     |     |
| Appeals/PCR   | 96.5   |  |  |                      |       |                    |      |                    |      |                      |      |             |      |          |      |             |      |                     |     |
| Probation Violation   | 9.8  |  |  |                      |       |                    |      |                    |      |                      |      |             |      |          |      |             |      |                     |     |

### PROGRAM DESCRIPTION

Department: Office of the State Public Defender

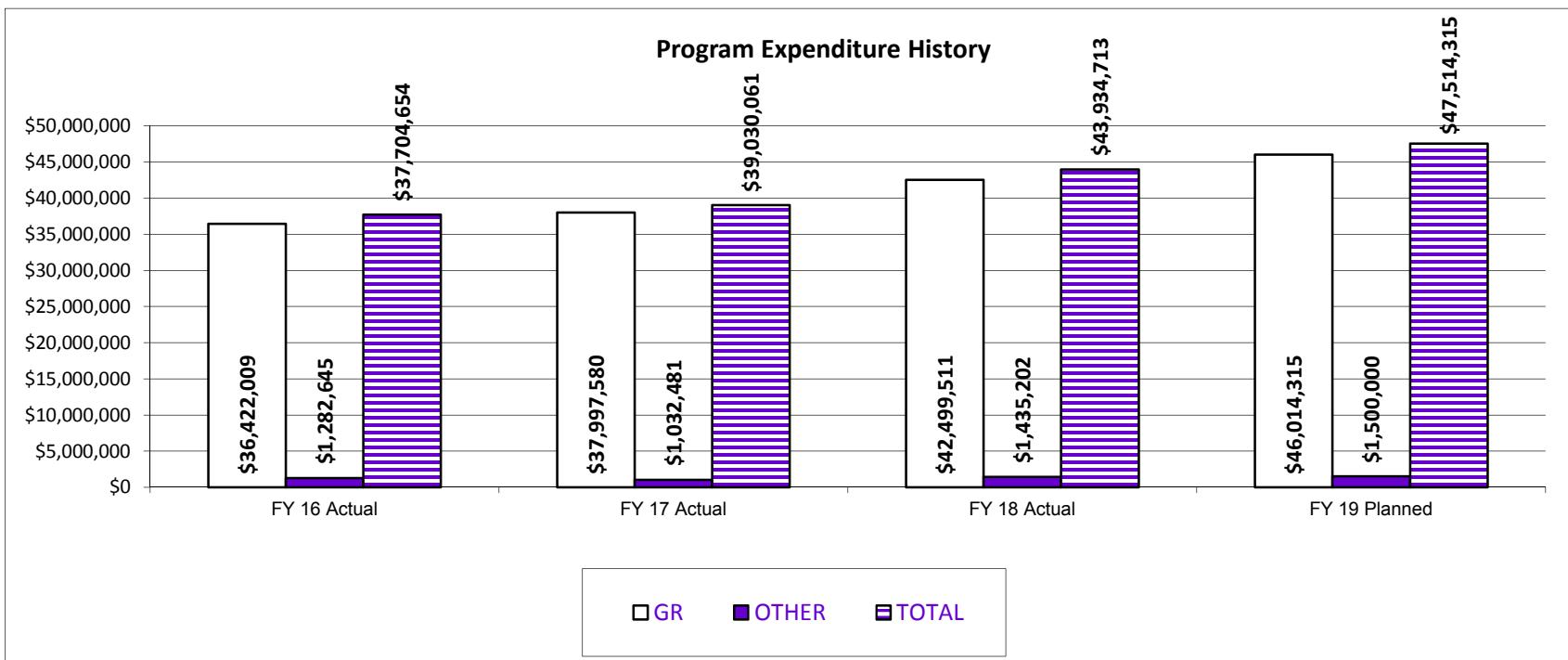
HB Section(s): HB 12.400

Program Name: Public Defender

Program is found in the following core budget(s):

This program is found in all MSPD core budgets. MSPD has only one mission and only one program - to provide effective legal representation to indigent persons accused of crime.

3. Provide actual expenditures for the prior three fiscal years and planned expenditures for the current fiscal year. (Note: Amounts do not include fringe benefit costs.)



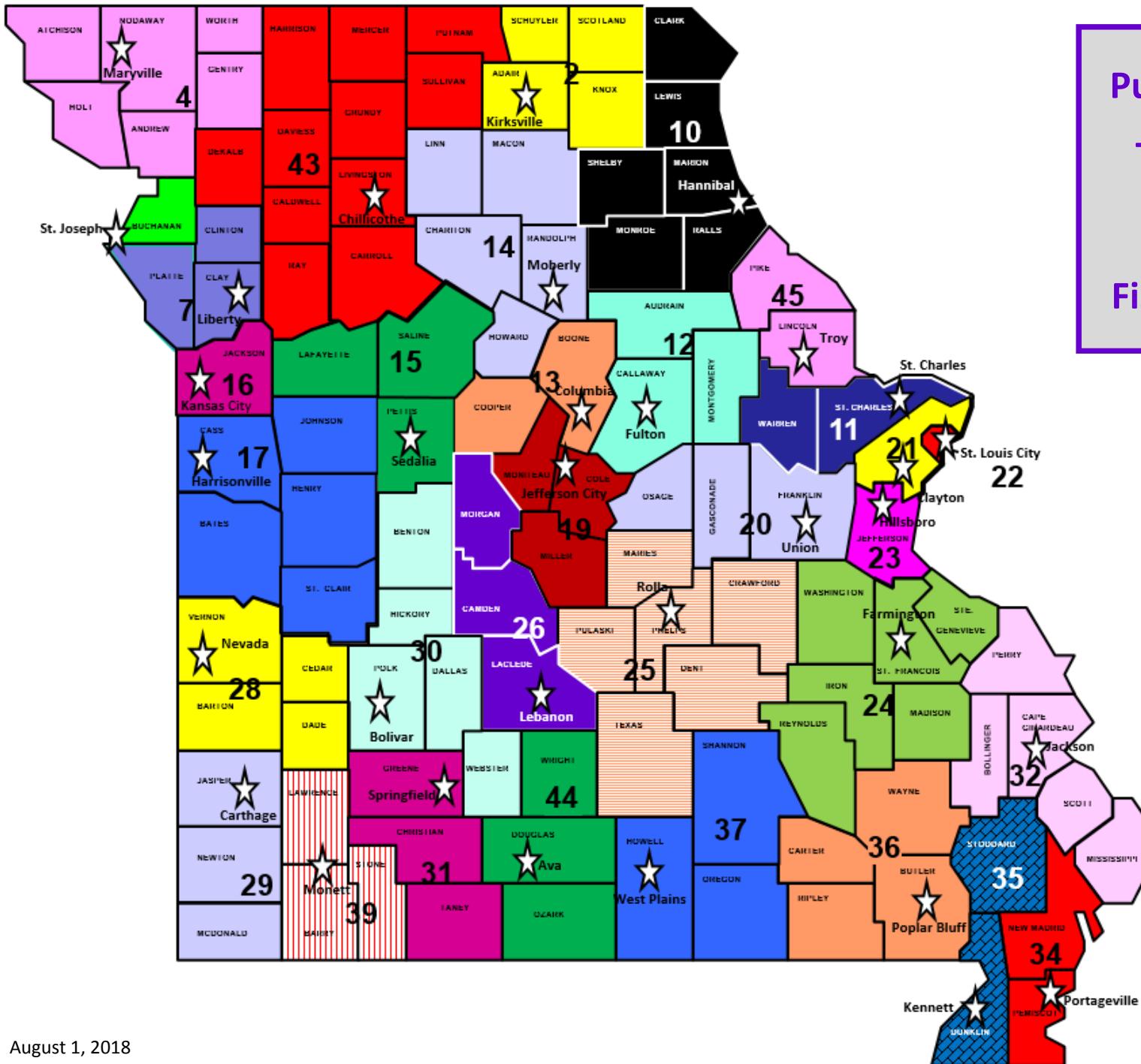
4. What are the sources of the "Other" funds?

Legal Defense and Defender Fund - Collections from Client fees.

| PROGRAM DESCRIPTION   |   |
|---|---|
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| <b>5. What is the authorization for this program, i.e., federal or state statute, etc.? (Include the federal program number, if applicable.)</b>  |   |
| <p>Chapter 600 R.S. Mo, which was enacted to comply with the state's obligations under the U.S. Constitution and Missouri Constitutions:</p> <p><i>In all criminal prosecutions, the accused shall enjoy the right to . . . have the assistance of counsel for his defence.</i></p> <p><i>Amend VI, U.S. Constitution</i></p> <p><i>In order to assert our rights, acknowledge our duties, and proclaim the principles on which our government is founded, we declare: . . . That in criminal prosecutions the accused shall have the right to appear and defend in person and by counsel.</i></p> <p><i>Article I, Section 18(a), Missouri Constitution.</i></p> |   |
| <b>6. Are there federal matching requirements? If yes, please explain.</b>  |   |
| No  |   |
| <b>7. Is this a federally mandated program? If yes, please explain.</b>   |   |
| <p>Yes. The Provision of counsel to indigent defendants facing prosecution and potential loss of their liberty if federally mandated the United States Constitution.</p> <p><i>"In all criminal prosecutions, the accused shall enjoy the right to...have the assistance of counsel for his defence."</i></p> <p><i>Amend VI, U.S. Constitution Bill of Rights.</i></p>   |   |

| Missouri State Public Defender System<br>Cases Assigned by Case Type<br><i>Does Not Include Wait List (Rule 4) Cases</i> |            |                |        |                          |             |          |       |       |                     |         |              |                             |
|--|------------|----------------|--------|--------------------------|-------------|----------|-------|-------|---------------------|---------|--------------|-----------------------------|
| Fiscal Year  | Murder 1st | Other Homicide | Felony | Murder + Felony Caseload | Misdemeanor | Juvenile | PCR   | Other | Probation Violation | Appeals | Total Opened | Total Closed (No Conflicts) |
| FY18   | 194        | 203            | 43,064 | 43,461                   | 12,167      | 1,074    | 1,309 | 158   | 16,805              | 445     | 75,419       | 71,329                      |
| FY17   | 179        | 195            | 45,364 | 45,738                   | 16,487      | 1,617    | 1,264 | 458   | 19,405              | 843     | 85,812       | 78,629                      |
| FY16   | 187        | 138            | 42,276 | 42,601                   | 16,121      | 1,677    | 829   | 204   | 18,557              | 766     | 80,755       | 71,934                      |
| FY15   | 167        | 148            | 37,879 | 38,194                   | 14,853      | 1,831    | 916   | 174   | 16,831              | 799     | 73,598       | 71,464                      |
| FY14   | 129        | 138            | 38,554 | 38,821                   | 15,228      | 1,830    | 939   | 166   | 17,460              | 752     | 75,196       | 72,197                      |
| FY13   | 152        | 207            | 38,785 | 39,144                   | 16,692      | 1,670    | 986   | 238   | 18,477              | 792     | 77,999       | 79,985                      |
| FY12   | 121        | 197            | 38,551 | 38,869                   | 20,948      | 1,923    | 1,212 | 159   | 20,320              | 966     | 84,397       | 81,871                      |
| FY11   | 148        | 149            | 35,753 | 36,050                   | 22,767      | 1,893    | 1,088 | 119   | 20,066              | 913     | 82,896       | 80,137                      |
| FY10   | 161        | 164            | 34,781 | 35,106                   | 24,768      | 2,393    | 1,141 | 131   | 20,147              | 930     | 84,616       | 81,346                      |
| FY09   | 121        | 180            | 33,226 | 33,527                   | 25,181      | 2,513    | 1,264 | 181   | 19,518              | 898     | 83,082       | 81,704                      |
| FY08   | 158        | 154            | 34,766 | 35,078                   | 26,098      | 2,715    | 1,061 | 182   | 19,555              | 716     | 85,405       | 85,116                      |
| FY07   | 174        | 161            | 35,109 | 35,444                   | 27,816      | 3,380    | 828   | 129   | 19,157              | 743     | 87,497       | 85,133                      |
| FY06   | 138        | 146            | 35,339 | 35,623                   | 28,227      | 3,676    | 838   | 46    | 19,412              | 710     | 88,532       | 83,260                      |
| FY05   | 156        | 124            | 33,282 | 33,562                   | 28,931      | 3,881    | 937   | 120   | 20,012              | 688     | 88,131       | 87,180                      |
| FY04   | 154        | 140            | 34,422 | 34,716                   | 28,018      | 4,258    | 807   | 98    | 20,263              | 756     | 88,916       | 86,356                      |
| FY03   | 195        | 114            | 35,425 | 35,734                   | 25,807      | 4,147    | 806   | 103   | 18,479              | 832     | 85,908       | 81,059                      |
| FY02   | 163        | 132            | 33,183 | 33,478                   | 25,147      | 3,918    | 802   | 64    | 18,047              | 750     | 82,206       | 77,165                      |
| FY01   | 182        | 125            | 29,934 | 30,241                   | 22,903      | 4,488    | 711   | 82    | 17,663              | 698     | 76,786       | 73,438                      |
| FY00   | 147        | 109            | 28,019 | 28,275                   | 24,119      | 4,998    | 763   | 76    | 16,768              | 739     | 75,738       | 69,591                      |
| FY99   | 182        | 108            | 28,892 | 29,182                   | 23,721      | 4,629    | 797   | 112   | 14,488              | 809     | 73,738       | 74,570                      |
| FY98   | 196        | 87             | 31,591 | 31,874                   | 24,676      | 4,270    | 674   | 138   | 14,141              | 689     | 76,462       | 74,495                      |
| FY97   | 169        | 79             | 29,663 | 29,911                   | 21,912      | 4,075    | 513   | 156   | 13,437              | 839     | 70,843       | 67,870                      |
| FY96   | 175        | 88             | 30,198 | 30,461                   | 23,069      | 3,612    | 707   | 178   | 11,444              | 1,038   | 70,509       | 70,664                      |
| FY95   | 256        | 109            | 27,688 | 28,053                   | 17,696      | 3,916    | 719   | 165   | 9,362               | 1,138   | 61,049       | 61,710                      |
| FY94   | 255        | 152            | 25,338 | 25,745                   | 17,852      | 3,374    | 682   | 201   | 8,225               | 1,017   | 57,096       | 52,453                      |
| FY93   | 301        | 136            | 24,402 | 24,839                   | 15,883      | 3,146    | 766   | 249   | 7,301               | 872     | 53,056       | 52,363                      |
| FY92   | 282        | 37             | 25,458 | 25,777                   | 19,974      | 3,372    | 1,129 | 167   | 5,321               | 569     | 56,309       | 55,651                      |
| FY91   | 193        | 63             | 21,304 | 21,560                   | 13,941      | 2,713    | 588   | 169   | 5,051               | 820     | 44,842       | 49,038                      |
| FY90   | 227        | 109            | 23,336 | 23,672                   | 14,627      | 3,300    | 732   | 369   | 5,834               | 1,094   | 49,628       | 46,425                      |
| FY89   | 193        | 149            | 20,838 | 21,180                   | 12,902      | 3,298    | 1,342 | 418   | 5,074               | 1,243   | 45,457       | 42,532                      |
| FY88   | 202        | 161            | 20,640 | 21,003                   | 12,427      | 3,455    | 1,006 | 470   | 4,475               | 920     | 43,756       | 40,117                      |
| FY87   | 199        | 145            | 19,254 | 19,598                   | 11,736      | 3,564    | 755   | 443   | 4,308               | 728     | 41,132       | 37,081                      |
| FY86   | 166        | 175            | 17,042 | 17,383                   | 10,602      | 3,328    | 612   | 611   | 3,815               | 608     | 36,959       | 34,491                      |
| FY85   | 152        | 172            | 15,397 | 15,721                   | 9,126       | 3,500    | 543   | 522   | 3,293               | 632     | 33,337       | 32,410                      |
| FY84   | 176        | 175            | 15,048 | 15,399                   | 9,256       | 3,058    | 534   | 499   | 2,878               | 506     | 32,130       | 31,730                      |

**Public Defender  
Trial Division  
District Map  
Fiscal Year 2019**



### **State Auditor's Reports and Oversight Evaluation**

| <b>Program or Division Name</b> | <b>Type of Report</b> | <b>Date Issued</b> | <b>Website</b>  |
|---------------------------------|-----------------------|--------------------|---|
| Public Defender Commission      | Audit                 | October 1, 2012    | <a href="http://www.auditor.mo.gov/Press/2012-129.pdf">http://www.auditor.mo.gov/Press/2012-129.pdf</a> |
|                                 |                       |                    |   |
|                                 |                       |                    |   |
|                                 |                       |                    |   |

## OFFICE OF THE STATE PUBLIC DEFENDER

## DECISION ITEM RANKING

| Budgeting Unit<br>Decision Item<br>Fund  | Rank | FY 2020<br>DEPT REQ<br>DOLLAR | FY 2020<br>DEPT REQ<br>FTE | FY 2020<br>GOV REC<br>DOLLAR | FY 2020<br>GOV REC<br>FTE | CUMULATIVE TOTAL<br>DOLLARS | CUMULATIVE TOTAL<br>FTE |
|--|------|-------------------------------|----------------------------|------------------------------|---------------------------|-----------------------------|-------------------------|
| <b>OFFICE OF THE DIRECTOR</b>            |      |                               |                            |                              |                           |                             |                         |
| CORE                                     | 001  |                               |                            |                              |                           |                             |                         |
| GENERAL REVENUE                          |      | 41,293,244                    | 595.13                     | 41,293,244                   | 595.13                    | 41,293,244                  | 595.13                  |
| TOTAL                                    |      | 41,293,244                    | 595.13                     | 41,293,244                   | 595.13                    | 41,293,244                  | 595.13                  |
| <b>EXTRAORDINARY EXPENSE/CONFLICT</b>    |      |                               |                            |                              |                           |                             |                         |
| CORE                                     | 001  |                               |                            |                              |                           |                             |                         |
| GENERAL REVENUE                          |      | 4,721,071                     | 0.00                       | 4,721,071                    | 0.00                      | 46,014,315                  | 595.13                  |
| TOTAL                                    |      | 4,721,071                     | 0.00                       | 4,721,071                    | 0.00                      | 46,014,315                  | 595.13                  |
| <b>LEGAL DEFENSE &amp; DEFENDER FUND</b> |      |                               |                            |                              |                           |                             |                         |
| CORE                                     | 001  |                               |                            |                              |                           |                             |                         |
| LEGAL DEFENSE AND DEFENDER               |      | 2,986,768                     | 2.00                       | 2,986,768                    | 2.00                      | 49,001,083                  | 597.13                  |
| TOTAL                                    |      | 2,986,768                     | 2.00                       | 2,986,768                    | 2.00                      | 49,001,083                  | 597.13                  |
| <b>GRANTS</b>                            |      |                               |                            |                              |                           |                             |                         |
| CORE                                     | 001  |                               |                            |                              |                           |                             |                         |
| PUBLIC DEFENDER-FEDERAL & OTHR           |      | 125,000                       | 0.00                       | 125,000                      | 0.00                      | 49,126,083                  | 597.13                  |
| TOTAL                                    |      | 125,000                       | 0.00                       | 125,000                      | 0.00                      | 49,126,083                  | 597.13                  |
| <b>OFFICE OF THE DIRECTOR</b>            |      |                               |                            |                              |                           |                             |                         |
| Pay Plan - 0000012                       | 002  |                               |                            |                              |                           |                             |                         |
| GENERAL REVENUE                          |      | 0                             | 0.00                       | 830,456                      | 0.00                      | 49,956,539                  | 597.13                  |
| TOTAL                                    |      | 0                             | 0.00                       | 830,456                      | 0.00                      | 49,956,539                  | 597.13                  |
| Pay Plan FY19-Cost to Continue - 0000013 | 002  |                               |                            |                              |                           |                             |                         |
| GENERAL REVENUE                          |      | 221,595                       | 0.00                       | 221,595                      | 0.00                      | 50,178,134                  | 597.13                  |
| TOTAL                                    |      | 221,595                       | 0.00                       | 221,595                      | 0.00                      | 50,178,134                  | 597.13                  |
| <b>LEGAL DEFENSE &amp; DEFENDER FUND</b> |      |                               |                            |                              |                           |                             |                         |
| Pay Plan - 0000012                       | 002  |                               |                            |                              |                           |                             |                         |
| LEGAL DEFENSE AND DEFENDER               |      | 0                             | 0.00                       | 2,053                        | 0.00                      | 50,180,187                  | 597.13                  |
| TOTAL                                    |      | 0                             | 0.00                       | 2,053                        | 0.00                      | 50,180,187                  | 597.13                  |
| Pay Plan FY19-Cost to Continue - 0000013 | 002  |                               |                            |                              |                           |                             |                         |
| LEGAL DEFENSE AND DEFENDER               |      | 825                           | 0.00                       | 825                          | 0.00                      | 50,181,012                  | 597.13                  |
| TOTAL                                    |      | 825                           | 0.00                       | 825                          | 0.00                      | 50,181,012                  | 597.13                  |

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM RANKING**

| Budgeting Unit<br>Decision Item<br>Fund  | Rank | FY 2020<br>DEPT REQ<br>DOLLAR | FY 2020<br>DEPT REQ<br>FTE | FY 2020<br>GOV REC<br>DOLLAR | FY 2020<br>GOV REC<br>FTE | CUMULATIVE TOTAL<br>DOLLARS | CUMULATIVE TOTAL<br>FTE |
|--|------|-------------------------------|----------------------------|------------------------------|---------------------------|-----------------------------|-------------------------|
| <b>OFFICE OF THE DIRECTOR</b>            |      |                               |                            |                              |                           |                             |                         |
| Juvenile Advocacy Offices - 1151001      | 006  |                               |                            |                              |                           |                             |                         |
| GENERAL REVENUE                          |      | 1,089,083                     | 18.00                      | 0                            | 0.00                      | 50,181,012                  | 597.13                  |
| TOTAL                                    |      | 1,089,083                     | 18.00                      | 0                            | 0.00                      |                             |                         |
| Contract Fee Rates - 1151002             | 006  |                               |                            |                              |                           |                             |                         |
| GENERAL REVENUE                          |      | 2,350,083                     | 0.00                       | 0                            | 0.00                      | 50,181,012                  | 597.13                  |
| TOTAL                                    |      | 2,350,083                     | 0.00                       | 0                            | 0.00                      |                             |                         |
| Springfield Appellate Office - 1151004   | 006  |                               |                            |                              |                           |                             |                         |
| GENERAL REVENUE                          |      | 575,533                       | 9.00                       | 0                            | 0.00                      | 50,181,012                  | 597.13                  |
| TOTAL                                    |      | 575,533                       | 9.00                       | 0                            | 0.00                      |                             |                         |
| Office Space Requirements - 1151005      | 006  |                               |                            |                              |                           |                             |                         |
| GENERAL REVENUE                          |      | 2,576,382                     | 0.00                       | 0                            | 0.00                      | 50,181,012                  | 597.13                  |
| TOTAL                                    |      | 2,576,382                     | 0.00                       | 0                            | 0.00                      |                             |                         |
| Constitutionally Mandated Repr - 1151006 | 006  |                               |                            |                              |                           |                             |                         |
| GENERAL REVENUE                          |      | 23,584,259                    | 385.00                     | 0                            | 0.00                      | 50,181,012                  | 597.13                  |
| TOTAL                                    |      | 23,584,259                    | 385.00                     | 0                            | 0.00                      |                             |                         |
| Social Worker Pilot Project - 1151007    | 006  |                               |                            |                              |                           |                             |                         |
| GENERAL REVENUE                          |      | 248,060                       | 5.00                       | 0                            | 0.00                      | 50,181,012                  | 597.13                  |
| TOTAL                                    |      | 248,060                       | 5.00                       | 0                            | 0.00                      |                             |                         |
| <b>GRAND TOTAL</b>                       |      | <b>\$79,771,903</b>           | <b>1,014.13</b>            | <b>\$50,181,012</b>          | <b>597.13</b>             |                             |                         |

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM SUMMARY**
**Budget Unit**

| Decision Item<br>Budget Object Summary<br>Fund  | FY 2018<br>ACTUAL<br>DOLLAR | FY 2018<br>ACTUAL<br>FTE | FY 2019<br>BUDGET<br>DOLLAR | FY 2019<br>BUDGET<br>FTE | FY 2020<br>DEPT REQ<br>DOLLAR | FY 2020<br>DEPT REQ<br>FTE | FY 2020<br>GOV REC<br>DOLLAR | FY 2020<br>GOV REC<br>FTE |
|---|-----------------------------|--------------------------|-----------------------------|--------------------------|-------------------------------|----------------------------|------------------------------|---------------------------|
| <b>OFFICE OF THE DIRECTOR</b>                   |                             |                          |                             |                          |                               |                            |                              |                           |
| <b>CORE</b>                                     |                             |                          |                             |                          |                               |                            |                              |                           |
| PERSONAL SERVICES                               |                             |                          |                             |                          |                               |                            |                              |                           |
| GENERAL REVENUE                                 | 28,940,575                  | 590.75                   | 33,413,677                  | 595.13                   | 33,413,677                    | 595.13                     | 33,413,677                   | 595.13                    |
| TOTAL - PS                                      | 28,940,575                  | 590.75                   | 33,413,677                  | 595.13                   | 33,413,677                    | 595.13                     | 33,413,677                   | 595.13                    |
| EXPENSE & EQUIPMENT                             |                             |                          |                             |                          |                               |                            |                              |                           |
| GENERAL REVENUE                                 | 8,835,934                   | 0.00                     | 7,879,567                   | 0.00                     | 7,879,567                     | 0.00                       | 7,879,567                    | 0.00                      |
| TOTAL - EE                                      | 8,835,934                   | 0.00                     | 7,879,567                   | 0.00                     | 7,879,567                     | 0.00                       | 7,879,567                    | 0.00                      |
| <b>TOTAL</b>                                    | <b>37,776,509</b>           | <b>590.75</b>            | <b>41,293,244</b>           | <b>595.13</b>            | <b>41,293,244</b>             | <b>595.13</b>              | <b>41,293,244</b>            | <b>595.13</b>             |
| <b>Pay Plan - 0000012</b>                       |                             |                          |                             |                          |                               |                            |                              |                           |
| PERSONAL SERVICES                               |                             |                          |                             |                          |                               |                            |                              |                           |
| GENERAL REVENUE                                 | 0                           | 0.00                     | 0                           | 0.00                     | 0                             | 0.00                       | 830,456                      | 0.00                      |
| TOTAL - PS                                      | 0                           | 0.00                     | 0                           | 0.00                     | 0                             | 0.00                       | 830,456                      | 0.00                      |
| <b>TOTAL</b>                                    | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                      | <b>0.00</b>                | <b>830,456</b>               | <b>0.00</b>               |
| <b>Pay Plan FY19-Cost to Continue - 0000013</b> |                             |                          |                             |                          |                               |                            |                              |                           |
| PERSONAL SERVICES                               |                             |                          |                             |                          |                               |                            |                              |                           |
| GENERAL REVENUE                                 | 0                           | 0.00                     | 0                           | 0.00                     | 221,595                       | 0.00                       | 221,595                      | 0.00                      |
| TOTAL - PS                                      | 0                           | 0.00                     | 0                           | 0.00                     | 221,595                       | 0.00                       | 221,595                      | 0.00                      |
| <b>TOTAL</b>                                    | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>221,595</b>                | <b>0.00</b>                | <b>221,595</b>               | <b>0.00</b>               |
| <b>Juvenile Advocacy Offices - 1151001</b>      |                             |                          |                             |                          |                               |                            |                              |                           |
| PERSONAL SERVICES                               |                             |                          |                             |                          |                               |                            |                              |                           |
| GENERAL REVENUE                                 | 0                           | 0.00                     | 0                           | 0.00                     | 913,786                       | 18.00                      | 0                            | 0.00                      |
| TOTAL - PS                                      | 0                           | 0.00                     | 0                           | 0.00                     | 913,786                       | 18.00                      | 0                            | 0.00                      |
| EXPENSE & EQUIPMENT                             |                             |                          |                             |                          |                               |                            |                              |                           |
| GENERAL REVENUE                                 | 0                           | 0.00                     | 0                           | 0.00                     | 175,297                       | 0.00                       | 0                            | 0.00                      |
| TOTAL - EE                                      | 0                           | 0.00                     | 0                           | 0.00                     | 175,297                       | 0.00                       | 0                            | 0.00                      |
| <b>TOTAL</b>                                    | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>1,089,083</b>              | <b>18.00</b>               | <b>0</b>                     | <b>0.00</b>               |
| <b>Contract Fee Rates - 1151002</b>             |                             |                          |                             |                          |                               |                            |                              |                           |
| EXPENSE & EQUIPMENT                             |                             |                          |                             |                          |                               |                            |                              |                           |
| GENERAL REVENUE                                 | 0                           | 0.00                     | 0                           | 0.00                     | 2,350,083                     | 0.00                       | 0                            | 0.00                      |
| TOTAL - EE                                      | 0                           | 0.00                     | 0                           | 0.00                     | 2,350,083                     | 0.00                       | 0                            | 0.00                      |
| <b>TOTAL</b>                                    | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>2,350,083</b>              | <b>0.00</b>                | <b>0</b>                     | <b>0.00</b>               |

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**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM SUMMARY**
**Budget Unit**

| Decision Item<br>Budget Object Summary<br>Fund  | FY 2018<br>ACTUAL<br>DOLLAR | FY 2018<br>ACTUAL<br>FTE | FY 2019<br>BUDGET<br>DOLLAR | FY 2019<br>BUDGET<br>FTE | FY 2020<br>DEPT REQ<br>DOLLAR | FY 2020<br>DEPT REQ<br>FTE | FY 2020<br>GOV REC<br>DOLLAR | FY 2020<br>GOV REC<br>FTE |
|---|-----------------------------|--------------------------|-----------------------------|--------------------------|-------------------------------|----------------------------|------------------------------|---------------------------|
| <b>OFFICE OF THE DIRECTOR</b>                   |                             |                          |                             |                          |                               |                            |                              |                           |
| <b>Springfield Appellate Office - 1151004</b>   |                             |                          |                             |                          |                               |                            |                              |                           |
| PERSONAL SERVICES                               |                             |                          |                             |                          |                               |                            |                              |                           |
| GENERAL REVENUE                                 | 0                           | 0.00                     | 0                           | 0.00                     | 475,793                       | 9.00                       | 0                            | 0.00                      |
| TOTAL - PS                                      | 0                           | 0.00                     | 0                           | 0.00                     | 475,793                       | 9.00                       | 0                            | 0.00                      |
| EXPENSE & EQUIPMENT                             |                             |                          |                             |                          |                               |                            |                              |                           |
| GENERAL REVENUE                                 | 0                           | 0.00                     | 0                           | 0.00                     | 99,740                        | 0.00                       | 0                            | 0.00                      |
| TOTAL - EE                                      | 0                           | 0.00                     | 0                           | 0.00                     | 99,740                        | 0.00                       | 0                            | 0.00                      |
| <b>TOTAL</b>                                    | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>575,533</b>                | <b>9.00</b>                | <b>0</b>                     | <b>0.00</b>               |
| <b>Office Space Requirements - 1151005</b>      |                             |                          |                             |                          |                               |                            |                              |                           |
| EXPENSE & EQUIPMENT                             |                             |                          |                             |                          |                               |                            |                              |                           |
| GENERAL REVENUE                                 | 0                           | 0.00                     | 0                           | 0.00                     | 2,576,382                     | 0.00                       | 0                            | 0.00                      |
| TOTAL - EE                                      | 0                           | 0.00                     | 0                           | 0.00                     | 2,576,382                     | 0.00                       | 0                            | 0.00                      |
| <b>TOTAL</b>                                    | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>2,576,382</b>              | <b>0.00</b>                | <b>0</b>                     | <b>0.00</b>               |
| <b>Constitutionally Mandated Repr - 1151006</b> |                             |                          |                             |                          |                               |                            |                              |                           |
| PERSONAL SERVICES                               |                             |                          |                             |                          |                               |                            |                              |                           |
| GENERAL REVENUE                                 | 0                           | 0.00                     | 0                           | 0.00                     | 20,116,404                    | 385.00                     | 0                            | 0.00                      |
| TOTAL - PS                                      | 0                           | 0.00                     | 0                           | 0.00                     | 20,116,404                    | 385.00                     | 0                            | 0.00                      |
| EXPENSE & EQUIPMENT                             |                             |                          |                             |                          |                               |                            |                              |                           |
| GENERAL REVENUE                                 | 0                           | 0.00                     | 0                           | 0.00                     | 3,467,855                     | 0.00                       | 0                            | 0.00                      |
| TOTAL - EE                                      | 0                           | 0.00                     | 0                           | 0.00                     | 3,467,855                     | 0.00                       | 0                            | 0.00                      |
| <b>TOTAL</b>                                    | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>23,584,259</b>             | <b>385.00</b>              | <b>0</b>                     | <b>0.00</b>               |
| <b>Social Worker Pilot Project - 1151007</b>    |                             |                          |                             |                          |                               |                            |                              |                           |
| PERSONAL SERVICES                               |                             |                          |                             |                          |                               |                            |                              |                           |
| GENERAL REVENUE                                 | 0                           | 0.00                     | 0                           | 0.00                     | 222,500                       | 5.00                       | 0                            | 0.00                      |
| TOTAL - PS                                      | 0                           | 0.00                     | 0                           | 0.00                     | 222,500                       | 5.00                       | 0                            | 0.00                      |
| EXPENSE & EQUIPMENT                             |                             |                          |                             |                          |                               |                            |                              |                           |
| GENERAL REVENUE                                 | 0                           | 0.00                     | 0                           | 0.00                     | 25,560                        | 0.00                       | 0                            | 0.00                      |
| TOTAL - EE                                      | 0                           | 0.00                     | 0                           | 0.00                     | 25,560                        | 0.00                       | 0                            | 0.00                      |
| <b>TOTAL</b>                                    | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>248,060</b>                | <b>5.00</b>                | <b>0</b>                     | <b>0.00</b>               |
| <b>GRAND TOTAL</b>                              | <b>\$37,776,509</b>         | <b>590.75</b>            | <b>\$41,293,244</b>         | <b>595.13</b>            | <b>\$71,938,239</b>           | <b>1,012.13</b>            | <b>\$42,345,295</b>          | <b>595.13</b>             |

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## CORE DECISION ITEM

| <b>Department:</b> Office of the State Public Defender  | <b>Budget Unit</b> | 15111C                 |              |                   |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
|---|--------------------|------------------------|--------------|-------------------|---|---------------|-------------|-------------|---------------|-------|-------|----|------------|---|---|------------|----|-----------|---|---|-----------|-----|---|---|---|---|-----|---|---|---|---|--------------|-------------------|----------|----------|-------------------|--|-----------------------------------|--|--|--|--|--|----|---------|-------|-------|----|------------|---|---|------------|----|-----------|---|---|-----------|-----|---|---|---|---|-----|---|---|---|---|--------------|-------------------|----------|----------|-------------------|
| <b>Division:</b> Public Defender  |                    |                        |              |                   |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| <b>Core:</b> Legal Services   | <b>HB Section</b>  | HB 12.400              |              |                   |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| <b>1. CORE FINANCIAL SUMMARY</b>  |                    |                        |              |                   |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="5" style="text-align: left; padding-bottom: 5px;">FY 2020 Budget Request</th> </tr> <tr> <th></th> <th>GR</th> <th>Federal</th> <th>Other</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>PS</td> <td>33,413,677</td> <td>0</td> <td>0</td> <td>33,413,677</td> </tr> <tr> <td>EE</td> <td>7,879,567</td> <td>0</td> <td>0</td> <td>7,879,567</td> </tr> <tr> <td>PSD</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>TRF</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td><b>Total</b></td> <td><b>41,293,244</b></td> <td><b>0</b></td> <td><b>0</b></td> <td><b>41,293,244</b></td> </tr> </tbody> </table> |                    | FY 2020 Budget Request |              |                   |   |               |             | GR          | Federal       | Other | Total | PS | 33,413,677 | 0 | 0 | 33,413,677 | EE | 7,879,567 | 0 | 0 | 7,879,567 | PSD | 0 | 0 | 0 | 0 | TRF | 0 | 0 | 0 | 0 | <b>Total</b> | <b>41,293,244</b> | <b>0</b> | <b>0</b> | <b>41,293,244</b> | <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="5" style="text-align: left; padding-bottom: 5px;">FY 2020 Governor's Recommendation</th> </tr> <tr> <th></th> <th>GR</th> <th>Federal</th> <th>Other</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>PS</td> <td>33,416,677</td> <td>0</td> <td>0</td> <td>33,416,677</td> </tr> <tr> <td>EE</td> <td>7,879,567</td> <td>0</td> <td>0</td> <td>7,879,567</td> </tr> <tr> <td>PSD</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>TRF</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td><b>Total</b></td> <td><b>41,296,244</b></td> <td><b>0</b></td> <td><b>0</b></td> <td><b>41,296,244</b></td> </tr> </tbody> </table> | FY 2020 Governor's Recommendation |  |  |  |  |  | GR | Federal | Other | Total | PS | 33,416,677 | 0 | 0 | 33,416,677 | EE | 7,879,567 | 0 | 0 | 7,879,567 | PSD | 0 | 0 | 0 | 0 | TRF | 0 | 0 | 0 | 0 | <b>Total</b> | <b>41,296,244</b> | <b>0</b> | <b>0</b> | <b>41,296,244</b> |
| FY 2020 Budget Request  |                    |                        |              |                   |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
|   | GR                 | Federal                | Other        | Total             |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| PS  | 33,413,677         | 0                      | 0            | 33,413,677        |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| EE  | 7,879,567          | 0                      | 0            | 7,879,567         |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| PSD   | 0                  | 0                      | 0            | 0                 |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| TRF   | 0                  | 0                      | 0            | 0                 |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| <b>Total</b>  | <b>41,293,244</b>  | <b>0</b>               | <b>0</b>     | <b>41,293,244</b> |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| FY 2020 Governor's Recommendation   |                    |                        |              |                   |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
|   | GR                 | Federal                | Other        | Total             |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| PS  | 33,416,677         | 0                      | 0            | 33,416,677        |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| EE  | 7,879,567          | 0                      | 0            | 7,879,567         |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| PSD   | 0                  | 0                      | 0            | 0                 |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| TRF   | 0                  | 0                      | 0            | 0                 |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| <b>Total</b>  | <b>41,296,244</b>  | <b>0</b>               | <b>0</b>     | <b>41,296,244</b> |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| <b>FTE</b>  | <b>595.13</b>      | <b>0.00</b>            | <b>0.00</b>  | <b>595.13</b>     | <b>FTE</b>  | <b>595.13</b> | <b>0.00</b> | <b>0.00</b> | <b>595.13</b> |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| <b>Est. Fringe</b>  | 17,686,927         | 0                      | 0            | 17,686,927        | <b>Est. Fringe</b>  | 17,687,841    | 0           | 0           | 17,687,841    |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.   |                    |                        |              |                   | Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation. |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| Other Funds:  |                    |                        | Other Funds: |                   |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| <b>2. CORE DESCRIPTION</b>  |                    |                        |              |                   |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| <p>The Missouri State Public Defender System [MSPD] is a statewide system, providing legal representation to indigent defendants accused of state crimes in Missouri's trial, appellate, and supreme courts. It is an independent department of state government, located within, but not supervised by, the Judicial Branch. It is governed by a seven-member Public Defender Commission, appointed by the governor.</p> <p>This decision item includes funding for public defenders and their support staff throughout the state and central administrative staff. It also includes partial funding for assigning conflict cases to private counsel.</p>  |                    |                        |              |                   |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| <b>3. PROGRAM LISTING (list programs included in this core funding)</b>   |                    |                        |              |                   |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |
| <p>The Missouri State Public Defender has only one program: providing constitutionally required criminal defense representation to Missourians facing the loss of liberty in state misdemeanor and felony prosecutions, as well as in appellate and post-conviction representation matters in which the state has created a right to counsel.</p>   |                    |                        |              |                   |   |               |             |             |               |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |  |                                   |  |  |  |  |  |    |         |       |       |    |            |   |   |            |    |           |   |   |           |     |   |   |   |   |     |   |   |   |   |              |                   |          |          |                   |

## CORE DECISION ITEM

|  |                    |           |
|--|--------------------|-----------|
| <b>Department:</b> Office of the State Public Defender | <b>Budget Unit</b> | 15111C    |
| <b>Division:</b> Public Defender                       |                    |           |
| <b>Core:</b> Legal Services                            | <b>HB Section</b>  | HB 12.400 |

### 4. FINANCIAL HISTORY

|                                 | FY 2016<br>Actual | FY 2017<br>Actual | FY 2018<br>Actual | FY 2019<br>Current Yr. |
|---------------------------------|-------------------|-------------------|-------------------|------------------------|
| Appropriation (All Funds)       | 32,700,939        | 37,776,510        | 37,776,510        | 41,293,244             |
| Less Reverted (All Funds)       | 0                 | 0                 | 0                 | 0                      |
| Less Restricted (All Funds)*    | 0                 | (3,500,000)       | 0                 | 0                      |
| Budget Authority (All Funds)    | 32,700,939        | 34,276,510        | 37,776,510        | 41,293,244             |
| Actual Expenditures (All Funds) | 32,700,938        | 34,276,509        | 37,776,509        | N/A                    |
| Unexpended (All Funds)          | 1                 | 1                 | 1                 | 0                      |
| Unexpended, by Fund:            |                   |                   |                   |                        |
| General Revenue                 | 1                 | 1                 | 1                 | N/A                    |
| Federal                         | 0                 | 0                 | 0                 | N/A                    |
| Other                           | 0                 | 0                 | 0                 | N/A                    |

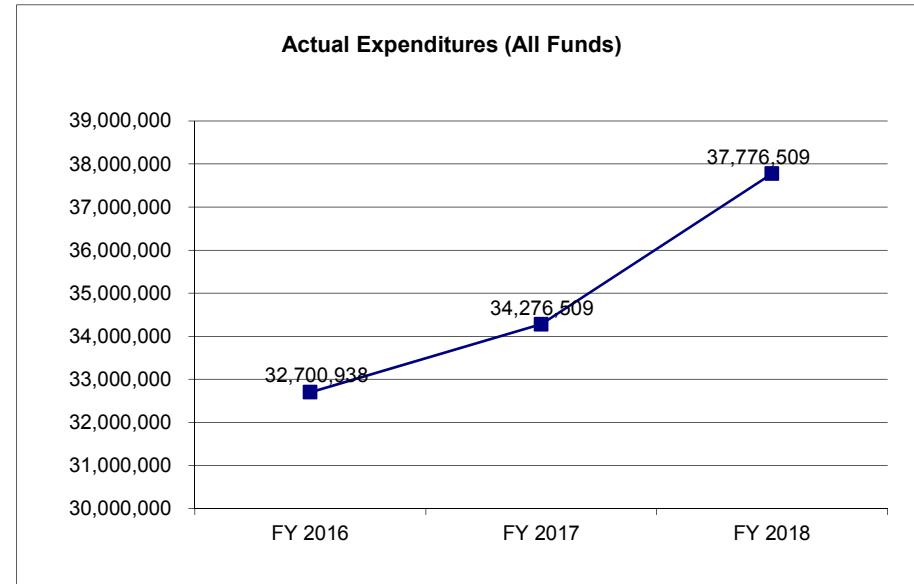
\*Restricted amount is \$0.00 as of September 14, 2018

Reverted includes the statutory three-percent reserve amount (when applicable).

Restricted includes any Governor's Expenditure Restrictions which remained at the end of the fiscal year (when applicable).

#### NOTES:

The \$3,500,000 withheld from Fiscal Year 2017, was not released.



**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM DETAIL**

| Budget Unit                    | FY 2018             | FY 2018       | FY 2019             | FY 2019       | FY 2020             | FY 2020       | FY 2020             | FY 2020       |
|--------------------------------|---------------------|---------------|---------------------|---------------|---------------------|---------------|---------------------|---------------|
| Decision Item                  | ACTUAL              | ACTUAL        | BUDGET              | BUDGET        | DEPT REQ            | DEPT REQ      | GOV REC             | GOV REC       |
| Budget Object Class            | DOLLAR              | FTE           | DOLLAR              | FTE           | DOLLAR              | FTE           | DOLLAR              | FTE           |
| <b>OFFICE OF THE DIRECTOR</b>  |                     |               |                     |               |                     |               |                     |               |
| <b>CORE</b>                    |                     |               |                     |               |                     |               |                     |               |
| TEMPORARY HELP                 | 350                 | 0.02          | 0                   | 0.00          | 0                   | 0.00          | 0                   | 0.00          |
| TEMPORARY EMPLOYEE             | 40,874              | 1.45          | 0                   | 0.00          | 0                   | 0.00          | 0                   | 0.00          |
| SECRETARY                      | 3,363,096           | 119.14        | 3,442,567           | 120.50        | 3,679,584           | 120.63        | 3,679,584           | 120.63        |
| COMPUTER INFO. SPECIALIST      | 291,797             | 5.94          | 415,668             | 7.50          | 458,867             | 8.00          | 458,867             | 8.00          |
| INVESTIGATOR                   | 2,129,581           | 57.26         | 2,206,979           | 57.63         | 2,293,412           | 58.00         | 2,293,412           | 58.00         |
| PARALEGAL                      | 171,774             | 4.66          | 169,719             | 4.50          | 174,845             | 4.50          | 174,845             | 4.50          |
| MITIGATION SPECIALIST          | 310,544             | 7.56          | 325,379             | 8.00          | 345,620             | 8.00          | 345,620             | 8.00          |
| ASSISTANT PUBLIC DEFENDER      | 18,093,784          | 333.68        | 20,698,130          | 335.00        | 21,145,119          | 335.00        | 21,145,119          | 335.00        |
| DISTRICT DEFENDER              | 3,062,531           | 41.10         | 4,764,525           | 43.00         | 3,873,612           | 43.00         | 3,873,612           | 43.00         |
| DIVISION DIRECTOR              | 515,830             | 4.58          | 568,488             | 5.00          | 486,366             | 4.00          | 486,366             | 4.00          |
| PROGRAM TECHNICIAN             | 199,230             | 5.07          | 227,747             | 6.00          | 235,436             | 6.00          | 235,436             | 6.00          |
| PROGRAM MANAGER                | 612,924             | 9.29          | 445,473             | 7.00          | 571,165             | 7.00          | 571,165             | 7.00          |
| DIRECTOR                       | 148,260             | 1.00          | 149,002             | 1.00          | 149,651             | 1.00          | 149,651             | 1.00          |
| <b>TOTAL - PS</b>              | <b>28,940,575</b>   | <b>590.75</b> | <b>33,413,677</b>   | <b>595.13</b> | <b>33,413,677</b>   | <b>595.13</b> | <b>33,413,677</b>   | <b>595.13</b> |
| TRAVEL, IN-STATE               | 888,827             | 0.00          | 935,000             | 0.00          | 895,567             | 0.00          | 895,567             | 0.00          |
| TRAVEL, OUT-OF-STATE           | 8,957               | 0.00          | 10,000              | 0.00          | 10,000              | 0.00          | 10,000              | 0.00          |
| FUEL & UTILITIES               | 43,376              | 0.00          | 45,000              | 0.00          | 45,000              | 0.00          | 45,000              | 0.00          |
| SUPPLIES                       | 399,692             | 0.00          | 445,000             | 0.00          | 400,000             | 0.00          | 400,000             | 0.00          |
| PROFESSIONAL DEVELOPMENT       | 144,300             | 0.00          | 143,500             | 0.00          | 145,000             | 0.00          | 145,000             | 0.00          |
| COMMUNICATION SERV & SUPP      | 514,342             | 0.00          | 375,000             | 0.00          | 515,000             | 0.00          | 515,000             | 0.00          |
| PROFESSIONAL SERVICES          | 5,475,702           | 0.00          | 3,985,067           | 0.00          | 4,475,000           | 0.00          | 4,475,000           | 0.00          |
| HOUSEKEEPING & JANITORIAL SERV | 119,928             | 0.00          | 115,000             | 0.00          | 120,000             | 0.00          | 120,000             | 0.00          |
| M&R SERVICES                   | 270,391             | 0.00          | 415,000             | 0.00          | 270,000             | 0.00          | 270,000             | 0.00          |
| COMPUTER EQUIPMENT             | 34,719              | 0.00          | 425,000             | 0.00          | 35,000              | 0.00          | 35,000              | 0.00          |
| MOTORIZED EQUIPMENT            | 0                   | 0.00          | 26,000              | 0.00          | 26,000              | 0.00          | 26,000              | 0.00          |
| OFFICE EQUIPMENT               | 31,729              | 0.00          | 40,000              | 0.00          | 32,000              | 0.00          | 32,000              | 0.00          |
| OTHER EQUIPMENT                | 21,138              | 0.00          | 60,000              | 0.00          | 21,000              | 0.00          | 21,000              | 0.00          |
| BUILDING LEASE PAYMENTS        | 808,376             | 0.00          | 780,000             | 0.00          | 780,000             | 0.00          | 780,000             | 0.00          |
| EQUIPMENT RENTALS & LEASES     | 29,687              | 0.00          | 30,000              | 0.00          | 60,000              | 0.00          | 60,000              | 0.00          |
| MISCELLANEOUS EXPENSES         | 44,770              | 0.00          | 50,000              | 0.00          | 50,000              | 0.00          | 50,000              | 0.00          |
| <b>TOTAL - EE</b>              | <b>8,835,934</b>    | <b>0.00</b>   | <b>7,879,567</b>    | <b>0.00</b>   | <b>7,879,567</b>    | <b>0.00</b>   | <b>7,879,567</b>    | <b>0.00</b>   |
| <b>GRAND TOTAL</b>             | <b>\$37,776,509</b> | <b>590.75</b> | <b>\$41,293,244</b> | <b>595.13</b> | <b>\$41,293,244</b> | <b>595.13</b> | <b>\$41,293,244</b> | <b>595.13</b> |
| GENERAL REVENUE                | \$37,776,509        | 590.75        | \$41,293,244        | 595.13        | \$41,293,244        | 595.13        | \$41,293,244        | 595.13        |
| FEDERAL FUNDS                  | \$0                 | 0.00          | \$0                 | 0.00          | \$0                 | 0.00          | \$0                 | 0.00          |
| OTHER FUNDS                    | \$0                 | 0.00          | \$0                 | 0.00          | \$0                 | 0.00          | \$0                 | 0.00          |

## FLEXIBILITY REQUEST FORM

|   |  |
|---|--|
| <b>BUDGET UNIT NUMBER:</b> 15111C   | <b>DEPARTMENT:</b> Office of the State Public Defender |
| <b>BUDGET UNIT NAME:</b> Office of the State Public Defender - Legal Services |  |
| <b>HOUSE BILL SECTION:</b> 12.400   | <b>DIVISION:</b> Director's Office - Legal Services    |

**1. Provide the amount by fund of personal service flexibility and the amount by fund of expense and equipment flexibility you are requesting in dollar and percentage terms and explain why the flexibility is needed. If flexibility is being requested among divisions, provide the amount by fund of flexibility you are requesting in dollar and percentage terms and explain why the flexibility is needed.**

### **DEPARTMENT REQUEST**

As in previous years, the Office of the State Public Defender is requesting full flexibility in our legal services appropriations. (Appropriations 0911, 0912 and 8727). Due to the turnover of attorney positions, the number of conflicts and the overload of cases, it is frequently necessary to transfer cases from state employees (Appropriation 0911) to private counsel who can be compensated from appropriation 0912 or 8727.

It is also necessary to transfer vacancy savings dollars from the Personal Service Appropriation to the Expense and Equipment Appropriation to cover appropriation shortfalls in case litigation expenses and increasing office expenses such as travel, postage, equipment maintenance and network charges.

**2. Estimate how much flexibility will be used for the budget year. How much flexibility was used in the Prior Year Budget and the Current Year Budget? Please specify the amount.**

| PRIOR YEAR<br>ACTUAL AMOUNT OF FLEXIBILITY USED | CURRENT YEAR<br>ESTIMATED AMOUNT OF<br>FLEXIBILITY THAT WILL BE USED | BUDGET REQUEST<br>ESTIMATED AMOUNT OF<br>FLEXIBILITY THAT WILL BE USED |
|---|--|--|
| \$956,368                                       | \$1,250,000  | \$1,000,000  |

**3. Please explain how flexibility was used in the prior and/or current years.**

| PRIOR YEAR<br>EXPLAIN ACTUAL USE  | CURRENT YEAR<br>EXPLAIN PLANNED USE   |
|---|---|
| \$956,368 was transferred from Personal Service (0911) to Expense & Equipment (0912) to cover a significant shortage in litigation costs, general operating costs and \$386,023 of additional conflict cases paid to private counsel. | Flexibility will be utilized to best meet the caseload demands of the State Public Defender System. Dollars from Personal Service vacancy savings could be used to meet the costs of operating the local offices or to contract out cases to private bar as the need arises or to pay for increasing necessary litigation expenses. |

**NEW DECISION ITEM**  
**RANK: 2 OF 6**

| Department: <b>Office of the State Public Defender</b>   | Budget Unit <b>15111C</b> |             |   |             |   |   |                |             |             |                |   |
|--|---------------------------|-------------|---|-------------|---|---|----------------|-------------|-------------|----------------|---|
| Division: <b>Legal Services</b>  |                           |             |   |             |   |   |                |             |             |                |   |
| DI Name: <b>FY 20 Pay Plan</b>   | DI# <b>0000012</b>        |             |   |             |   |   |                |             |             |                |   |
| HB Section <b>12.400</b>   |                           |             |   |             |   |   |                |             |             |                |   |
| <b>1. AMOUNT OF REQUEST</b>  |                           |             |   |             |   |   |                |             |             |                |   |
| <b>FY 2020 Budget Request</b>  |                           |             |   |             | <b>FY 2020 Governor's Recommendation</b>  |   |                |             |             |                |   |
|  | GR                        | Federal     | Other   | Total       | E   |   | GR             | Federal     | Other       | Total          | E |
| PS   | 0                         | 0           | 0   | 0           |   | PS  | 830,456        | 0           | 0           | 830,456        |   |
| EE   | 0                         | 0           | 0   | 0           |   | EE  | 0              | 0           | 0           | 0              |   |
| PSD  | 0                         | 0           | 0   | 0           |   | PSD   | 0              | 0           | 0           | 0              |   |
| TRF  | 0                         | 0           | 0   | 0           |   | TRF   | 0              | 0           | 0           | 0              |   |
| <b>Total</b>   | <b>0</b>                  | <b>0</b>    | <b>0</b>  | <b>0</b>    |   | <b>Total</b>  | <b>830,456</b> | <b>0</b>    | <b>0</b>    | <b>830,456</b> |   |
| <b>FTE</b>   | <b>0.00</b>               | <b>0.00</b> | <b>0.00</b>   | <b>0.00</b> |   | <b>FTE</b>  | <b>0.00</b>    | <b>0.00</b> | <b>0.00</b> | <b>0.00</b>    |   |
| <b>Est. Fringe</b>   | <b>0</b>                  | <b>0</b>    | <b>0</b>  | <b>0</b>    |   | <b>Est. Fringe</b>  | <b>253,040</b> | <b>0</b>    | <b>0</b>    | <b>253,040</b> |   |
| Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.  |                           |             |   |             | Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation. |   |                |             |             |                |   |
| Other Funds:   |                           |             |   |             | Other Funds:  |   |                |             |             |                |   |
| <b>2. THIS REQUEST CAN BE CATEGORIZED AS:</b>  |                           |             |   |             |   |   |                |             |             |                |   |
| <input type="checkbox"/> New Legislation<br><input type="checkbox"/> Federal Mandate<br><input type="checkbox"/> GR Pick-Up<br><input checked="" type="checkbox"/> Pay Plan    |                           |             | <input type="checkbox"/> New Program<br><input type="checkbox"/> Program Expansion<br><input type="checkbox"/> Space Request<br><input type="checkbox"/> Other: |             |   | <input type="checkbox"/> Fund Switch<br><input type="checkbox"/> Cost to Continue<br><input type="checkbox"/> Equipment Replacement |                |             |             |                |   |
| <b>3. WHY IS THIS FUNDING NEEDED? PROVIDE AN EXPLANATION FOR ITEMS CHECKED IN #2. INCLUDE THE FEDERAL OR STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS PROGRAM.</b> |                           |             |   |             |   |   |                |             |             |                |   |
| <p>The Governor's Fiscal Year 2020 budget includes appropriation authority for a 3% pay raise for state employees beginning January 1, 2020.</p>                               |                           |             |   |             |   |   |                |             |             |                |   |

**NEW DECISION ITEM**  
**RANK: 2 OF 6**

|  |   |
|--|---|
| Department: <u>Office of the State Public Defender</u> | Budget Unit <u>15111C</u>                   |
| Division: <u>Legal Services</u>                        |   |
| DI Name: <u>FY 20 Pay Plan</u>                         | <u>DI# 0000012</u> HB Section <u>12.400</u> |

**4. DESCRIBE THE DETAILED ASSUMPTIONS USED TO DERIVE THE SPECIFIC REQUESTED AMOUNT. (How did you determine that the requested number of FTE were appropriate? From what source or standard did you derive the requested levels of funding? Were alternatives such as outsourcing or automation considered? If based on new legislation, does request tie to TAFF fiscal note? If not, explain why. Detail which portions of the request are one-times and how those amounts were calculated.)**

The appropriated amount for the Fiscal Year 20 pay plan was based on personal service appropriations.

**5. BREAK DOWN THE REQUEST BY BUDGET OBJECT CLASS, JOB CLASS, AND FUND SOURCE. IDENTIFY ONE-TIME COSTS.**

| Budget Object Class/Job Class    | Gov Rec  |   |
|----------------------------------|---------|---------|---------|---------|---------|---------|---------|---------|----------|---|
|                                  | GR      | GR      | FED     | FED     | OTHER   | OTHER   | TOTAL   | TOTAL   | One-Time |   |
|                                  | DOLLARS | FTE     | DOLLARS | FTE     | DOLLARS | FTE     | DOLLARS | FTE     | DOLLARS  | E |
| C00200 Secretary                 | 99,699  |         |         |         |         |         | 99,699  |         |          |   |
| C00270 Computer Information Spec | 6,922   |         |         |         |         |         | 6,922   |         |          |   |
| C00300 Investigator              | 36,131  |         |         |         |         |         | 36,131  |         |          |   |
| C00325 Paralegal                 | 2,646   |         |         |         |         |         | 2,646   |         |          |   |
| C00350 Mitigation Specialist     | 9,805   |         |         |         |         |         | 9,805   |         |          |   |
| C00400 Assistant Public Defender | 591,137 |         |         |         |         |         | 591,137 |         |          |   |
| C00460 District Defender         | 62,355  |         |         |         |         |         | 62,355  |         |          |   |
| C00550 Division Director         | 7,338   |         |         |         |         |         | 7,338   |         |          |   |
| C00560 Program Technician        | 3,563   |         |         |         |         |         | 3,563   |         |          |   |
| C00570 Program Manager           | 8,604   |         |         |         |         |         | 8,604   |         |          |   |
| C00600 Director                  | 2,256   |         |         |         |         |         | 2,256   |         |          |   |
| Total PS                         | 830,456 | 0.0     | 0       | 0.0     | 0       | 0.0     | 830,456 | 0.0     | 0        |   |
| Grand Total                      | 830,456 | 0.0     | 0       | 0.0     | 0       | 0.0     | 830,456 | 0.0     | 0        |   |

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM DETAIL**

| Budget Unit<br>Decision Item<br>Budget Object Class | FY 2018<br>ACTUAL<br>DOLLAR | FY 2018<br>ACTUAL<br>FTE | FY 2019<br>BUDGET<br>DOLLAR | FY 2019<br>BUDGET<br>FTE | FY 2020<br>DEPT REQ<br>DOLLAR | FY 2020<br>DEPT REQ<br>FTE | FY 2020<br>GOV REC<br>DOLLAR | FY 2020<br>GOV REC<br>FTE |
|---|-----------------------------|--------------------------|-----------------------------|--------------------------|-------------------------------|----------------------------|------------------------------|---------------------------|
| <b>OFFICE OF THE DIRECTOR</b>                       |                             |                          |                             |                          |                               |                            |                              |                           |
| <b>Pay Plan - 0000012</b>                           |                             |                          |                             |                          |                               |                            |                              |                           |
| SECRETARY   | 0                           | 0.00                     | 0                           | 0.00                     | 0                             | 0.00                       | 99,699                       | 0.00                      |
| COMPUTER INFO. SPECIALIST                           | 0                           | 0.00                     | 0                           | 0.00                     | 0                             | 0.00                       | 6,922                        | 0.00                      |
| INVESTIGATOR  | 0                           | 0.00                     | 0                           | 0.00                     | 0                             | 0.00                       | 36,131                       | 0.00                      |
| PARALEGAL   | 0                           | 0.00                     | 0                           | 0.00                     | 0                             | 0.00                       | 2,646                        | 0.00                      |
| MITIGATION SPECIALIST                               | 0                           | 0.00                     | 0                           | 0.00                     | 0                             | 0.00                       | 9,805                        | 0.00                      |
| ASSISTANT PUBLIC DEFENDER                           | 0                           | 0.00                     | 0                           | 0.00                     | 0                             | 0.00                       | 591,137                      | 0.00                      |
| DISTRICT DEFENDER                                   | 0                           | 0.00                     | 0                           | 0.00                     | 0                             | 0.00                       | 62,355                       | 0.00                      |
| DIVISION DIRECTOR                                   | 0                           | 0.00                     | 0                           | 0.00                     | 0                             | 0.00                       | 7,338                        | 0.00                      |
| PROGRAM TECHNICIAN                                  | 0                           | 0.00                     | 0                           | 0.00                     | 0                             | 0.00                       | 3,563                        | 0.00                      |
| PROGRAM MANAGER                                     | 0                           | 0.00                     | 0                           | 0.00                     | 0                             | 0.00                       | 8,604                        | 0.00                      |
| DIRECTOR  | 0                           | 0.00                     | 0                           | 0.00                     | 0                             | 0.00                       | 2,256                        | 0.00                      |
| <b>TOTAL - PS</b>                                   | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                      | <b>0.00</b>                | <b>\$830,456</b>             | <b>0.00</b>               |
| <b>GRAND TOTAL</b>                                  | <b>\$0</b>                  | <b>0.00</b>              | <b>\$0</b>                  | <b>0.00</b>              | <b>\$0</b>                    | <b>0.00</b>                | <b>\$830,456</b>             | <b>0.00</b>               |
| GENERAL REVENUE                                     | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       | \$830,456                    | 0.00                      |
| FEDERAL FUNDS                                       | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       | \$0                          | 0.00                      |
| OTHER FUNDS   | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       | \$0                          | 0.00                      |

Upon receiving the Governor's recommendations for the Fiscal Year 2020 pay plan, MSPD attempted to reconcile the amount recommended with 3% of the Missouri State Public Defender's Personal Service Appropriation. The \$830,456 recommended was \$325,927 more than 3% of MSPD's Personal Service Appropriation.

| Brass Code      | Job Title                 | Core Salary         | Cost to Continue FY19 Pay Plan | Total January 1, 2019 | 3%                 | 3% for 1/2 of Fiscal Year | Decision Item Detail | Difference       |
|-----------------|---------------------------|---------------------|--------------------------------|-----------------------|--------------------|---------------------------|----------------------|------------------|
| C00200          | Secretary                 | \$3,679,584         | \$42,875                       | \$3,722,459           | \$111,674          | \$55,836.89               | \$99,699             | \$43,862         |
| C00270          | Computer Information Spec | \$458,867           | \$2,625                        | \$461,492             | \$13,845           | \$6,922.38                | \$6,922              | \$0              |
| C00300          | Investigator              | \$2,293,412         | \$20,521                       | \$2,313,933           | \$69,418           | \$34,709.00               | \$36,131             | \$1,422          |
| C00325          | Paralegal                 | \$174,845           | \$1,575                        | \$176,420             | \$5,293            | \$2,646.30                | \$2,646              | \$0              |
| C00350          | Mitigation Specialist     | \$345,620           | \$3,150                        | \$348,770             | \$10,463           | \$5,231.55                | \$9,805              | \$4,573          |
| C00400          | Assistant Public Defender | \$21,145,119        | \$118,650                      | \$21,263,769          | \$637,913          | \$318,956.54              | \$591,137            | \$272,180        |
| C00460          | District Defender         | \$3,873,612         | \$24,078                       | \$3,897,690           | \$116,931          | \$58,465.35               | \$62,355             | \$3,890          |
| C00550          | Division Director         | \$486,366           | \$2,829                        | \$489,195             | \$14,676           | \$7,337.93                | \$7,338              | \$0              |
| C00560          | Program Technician        | \$235,436           | \$2,100                        | \$237,536             | \$7,126            | \$3,563.04                | \$3,563              | \$0              |
| C00570          | Program Manager           | \$571,165           | \$2,450                        | \$573,615             | \$17,208           | \$8,604.23                | \$8,604              | \$0              |
| C00600          | Director                  | \$149,651           | \$742                          | \$150,393             | \$4,512            | \$2,255.90                | \$2,256              | \$0              |
| <b>Total PS</b> |                           | <b>\$33,413,677</b> | <b>\$221,595</b>               | <b>\$33,635,272</b>   | <b>\$1,009,058</b> | <b>\$504,529</b>          | <b>\$830,456</b>     | <b>\$325,927</b> |
|                 |                           |                     |                                | <b>\$33,635,272</b>   |                    |                           |                      |                  |

After contacting, a Section Manager at the Office of Administration, Division of Budget and Planning to confirm the calculations, MSPD was told the numbers recommended and entered into the BRASS budgeting system would be verified.

MSPD determined that the Office of Administration, Division of Budget and Planning error was that they added all New Decision Item Personal Service requests to the core prior to making their pay plan calculations.

| Brass Code | Job Title                 | Core Salary  | Cost to Continue FY19 Pay Plan | Total January 1, 2019 | NDI Juvenile Advocacy | NDI Springfield Appellate | NDI Const. Represent. | NDI Social Workers | Total of Core & NDI's PS | 3% of Total Core & NDI's PS | 3% for 1/2 of Fiscal Year | Decision Item Detail | Difference |
|------------|---------------------------|--------------|--------------------------------|-----------------------|-----------------------|---------------------------|-----------------------|--------------------|--------------------------|-----------------------------|---------------------------|----------------------|------------|
| C00200     | Secretary                 | \$3,679,584  | \$42,875                       | \$3,722,459           | \$114,672             | \$57,336                  | \$2,752,128           |                    | \$6,646,595              | \$199,398                   | \$99,698.93               | \$99,699             | \$0        |
| C00270     | Computer Information Spec | \$458,867    | \$2,625                        | \$461,492             |                       |                           |                       |                    | \$461,492                | \$13,845                    | \$6,922.38                | \$6,922              | \$0        |
| C00300     | Investigator              | \$2,293,412  | \$20,521                       | \$2,313,933           | \$63,216              | \$31,608                  |                       |                    | \$2,408,757              | \$72,263                    | \$36,131.36               | \$36,131             | \$0        |
| C00325     | Paralegal                 | \$174,845    | \$1,575                        | \$176,420             |                       |                           |                       |                    | \$176,420                | \$5,293                     | \$2,646.30                | \$2,646              | \$0        |
| C00350     | Mitigation Specialist     | \$345,620    | \$3,150                        | \$348,770             | \$82,368              |                           |                       | \$222,500          | \$653,638                | \$19,609                    | \$9,804.57                | \$9,805              | \$0        |
| C00400     | Assistant Public Defender | \$21,145,119 | \$118,650                      | \$21,263,769          | \$480,672             | \$300,420                 | \$17,364,276          |                    | \$39,409,137             | \$1,182,274                 | \$591,137.06              | \$591,137            | \$0        |
| C00460     | District Defender         | \$3,873,612  | \$24,078                       | \$3,897,690           | \$172,858             | \$86,429                  |                       |                    | \$4,156,977              | \$124,709                   | \$62,354.66               | \$62,355             | \$0        |
| C00550     | Division Director         | \$486,366    | \$2,829                        | \$489,195             |                       |                           |                       |                    | \$489,195                | \$14,676                    | \$7,337.93                | \$7,338              | \$0        |
| C00560     | Program Technician        | \$235,436    | \$2,100                        | \$237,536             |                       |                           |                       |                    | \$237,536                | \$7,126                     | \$3,563.04                | \$3,563              | \$0        |
| C00570     | Program Manager           | \$571,165    | \$2,450                        | \$573,615             |                       |                           |                       |                    | \$573,615                | \$17,208                    | \$8,604.23                | \$8,604              | \$0        |
| C00600     | Director                  | \$149,651    | \$742                          | \$150,393             |                       |                           |                       |                    | \$150,393                | \$4,512                     | \$2,255.90                | \$2,256              | \$0        |
|            |                           |              |                                |                       |                       |                           |                       |                    |                          |                             |                           |                      |            |
| Total PS   |                           | \$33,413,677 | \$221,595                      | \$33,635,272          | \$913,786             | \$475,793                 | \$20,116,404          | \$222,500          | \$88,999,027             | \$1,660,913                 | \$830,456                 | \$830,456            | \$0        |
|            |                           |              |                                | \$33,635,272          |                       |                           |                       |                    |                          |                             |                           |                      |            |
|            |                           |              |                                |                       |                       |                           |                       |                    |                          |                             |                           |                      |            |

On January 17, 2019, MSPD received a call from a Senior Budget Analyst at the Office of Administration, Division of Budget and Planning. She indicated that although MSPD is correct, OA made an error in this calculation, Budget and Planning is not going to correct the error, but rather tell House Budget that the error was made and let the House correct it during their budget cycle. MSPD asked for a copy of the communication for MSPD's files to provide documentation as to why House Budget would reduce a Governor's recommendation regarding the Governor's FY2020 Pay Plan to MSPD's employees. MSPD was told there would be no email, but rather Budget and Planning would just let the House Budget staff know.

## NEW DECISION ITEM

RANK: 2 OF 6

Department: Office of the State Public Defender

Budget Unit 15111C

Division: Legal Services

DI Name: Pay Plan - FY 2019 Cost to Continue DI# 0000013HB Section 12.400

## 1. AMOUNT OF REQUEST

|       | FY 2020 Budget Request |          |          |                | E |
|-------|------------------------|----------|----------|----------------|---|
|       | GR                     | Federal  | Other    | Total          |   |
| PS    | 221,595                | 0        | 0        | 221,595        |   |
| EE    | 0                      | 0        | 0        | 0              |   |
| PSD   | 0                      | 0        | 0        | 0              |   |
| TRF   | 0                      | 0        | 0        | 0              |   |
| Total | <u>221,595</u>         | <u>0</u> | <u>0</u> | <u>221,595</u> |   |

FTE 0.00 0.00 0.00 0.00**Est. Fringe** 67,520 0 0 67,520

Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Other Funds:

## 2. THIS REQUEST CAN BE CATEGORIZED AS:

|                 |                   |                       |
|-----------------|-------------------|-----------------------|
| New Legislation | New Program       | Fund Switch           |
| Federal Mandate | Program Expansion | Cost to Continue      |
| GR Pick-Up      | Space Request     | Equipment Replacement |
| X Pay Plan      | Other:            |                       |

## 3. WHY IS THIS FUNDING NEEDED? PROVIDE AN EXPLANATION FOR ITEMS CHECKED IN #2. INCLUDE THE FEDERAL OR STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS PROGRAM.

The FY 2019 budget includes appropriation authority for a \$700 pay increase for employees making under \$70,000 and a 1% pay increase for employees making over \$70,000 beginning January 1, 2019. The remaining six months were unfunded, but the stated intent of the legislature was to provide the funding in FY 2020.

**NEW DECISION ITEM**

RANK: 2 OF 6

|  |             |        |
|--|-------------|--------|
| Department: Office of the State Public Defender          | Budget Unit | 15111C |
| Division: Legal Services                                 |             |        |
| DI Name: Pay Plan - FY 2019 Cost to Continue DI# 0000013 | HB Section  | 12.400 |

**4. DESCRIBE THE DETAILED ASSUMPTIONS USED TO DERIVE THE SPECIFIC REQUESTED AMOUNT. (How did you determine that the requested number of FTE were appropriate? From what source or standard did you derive the requested levels of funding? Were alternatives such as outsourcing or automation considered? If based on new legislation, does request tie to TAFP fiscal note? If not, explain why. Detail which portions of the request are one-times and how those amounts were calculated.)**

The appropriated amount for the Fiscal Year 2019 pay plan was based on a \$700 pay increase for employees making under \$70,000 and a 1% pay increase for employees making over \$70,000 beginning January 1, 2019. The Fiscal Year 2020 requested amount is equivalent to the remaining six months in order to provide the core funding necessary for a full fiscal year.

**5. BREAK DOWN THE REQUEST BY BUDGET OBJECT CLASS, JOB CLASS, AND FUND SOURCE. IDENTIFY ONE-TIME COSTS.**

| Budget Object Class/Job Class    | Dept Req<br>GR | Dept Req<br>GR | Dept Req<br>FED | Dept Req<br>FED | Dept Req<br>OTHER | Dept Req<br>OTHER | Dept Req<br>TOTAL | Dept Req<br>TOTAL | Dept Req<br>One-Time |
|----------------------------------|----------------|----------------|-----------------|-----------------|-------------------|-------------------|-------------------|-------------------|----------------------|
|                                  | DOLLARS        | FTE            | DOLLARS         | FTE             | DOLLARS           | FTE               | DOLLARS           | FTE               | DOLLARS              |
| C00200 Secretary                 | 42,875         |                |                 |                 |                   |                   | 42,875            |                   |                      |
| C00270 Computer Information Spec |                | 2,625          |                 |                 |                   |                   |                   | 2,625             |                      |
| C00300 Investigator              |                | 20,521         |                 |                 |                   |                   |                   | 20,521            |                      |
| C00325 Paralegal                 |                | 1,575          |                 |                 |                   |                   |                   | 1,575             |                      |
| C00350 Mitigation Specialist     |                | 3,150          |                 |                 |                   |                   |                   | 3,150             |                      |
| C00400 Assistant Public Defender | 118,650        |                |                 |                 |                   |                   | 118,650           |                   |                      |
| C00460 District Defender         |                | 24,078         |                 |                 |                   |                   |                   | 24,078            |                      |
| C00550 Division Director         |                | 2,829          |                 |                 |                   |                   |                   | 2,829             |                      |
| C00560 Program Technician        |                | 2,100          |                 |                 |                   |                   |                   | 2,100             |                      |
| C00570 Program Manager           |                | 2,450          |                 |                 |                   |                   |                   | 2,450             |                      |
| C00600 Director                  |                | 742            |                 |                 |                   |                   |                   | 742               |                      |
| Total PS                         | <b>221,595</b> | 0.0            | 0               | 0.0             | 0                 | 0.0               | <b>221,595</b>    | 0.0               | 0                    |
| <b>Grand Total</b>               | <b>221,595</b> | <b>0.0</b>     | <b>0</b>        | <b>0.0</b>      | <b>0</b>          | <b>0.0</b>        | <b>221,595</b>    | <b>0.0</b>        | <b>0</b>             |

**NEW DECISION ITEM**

RANK: 2 OF 6

| <b>Department:</b> Office of the State Public Defender |                           |                          | <b>Budget Unit</b>   | 15111C                    |                       |                             |                         |                             |                         |                                |   |  |  |  |  |  |  |  |  |  |
|--|---------------------------|--------------------------|----------------------|---------------------------|-----------------------|-----------------------------|-------------------------|-----------------------------|-------------------------|--------------------------------|---|--|--|--|--|--|--|--|--|--|
| <b>Division:</b> Legal Services                        |                           |                          |                      |                           |                       |                             |                         |                             |                         |                                |   |  |  |  |  |  |  |  |  |  |
| <b>DI Name:</b> Pay Plan - FY 2019 Cost to Continue    | DI# 0000013               |                          | <b>HB Section</b>    | 12.400                    |                       |                             |                         |                             |                         |                                |   |  |  |  |  |  |  |  |  |  |
| <hr/>  |                           |                          |                      |                           |                       |                             |                         |                             |                         |                                |   |  |  |  |  |  |  |  |  |  |
| <hr/>  |                           |                          |                      |                           |                       |                             |                         |                             |                         |                                |   |  |  |  |  |  |  |  |  |  |
| Budget Object Class/Job Class                          |                           | Gov Rec<br>GR<br>DOLLARS | Gov Rec<br>GR<br>FTE | Gov Rec<br>FED<br>DOLLARS | Gov Rec<br>FED<br>FTE | Gov Rec<br>OTHER<br>DOLLARS | Gov Rec<br>OTHER<br>FTE | Gov Rec<br>TOTAL<br>DOLLARS | Gov Rec<br>TOTAL<br>FTE | Gov Rec<br>One-Time<br>DOLLARS | E |  |  |  |  |  |  |  |  |  |
| C00200   | Secretary                 | 42,875                   |                      |                           |                       |                             |                         | 42,875                      |                         |                                |   |  |  |  |  |  |  |  |  |  |
| C00270   | Computer Information Spec | 2,625                    |                      |                           |                       |                             |                         | 2,625                       |                         |                                |   |  |  |  |  |  |  |  |  |  |
| C00300   | Investigator              | 20,521                   |                      |                           |                       |                             |                         | 20,521                      |                         |                                |   |  |  |  |  |  |  |  |  |  |
| C00325   | Paralegal                 | 1,575                    |                      |                           |                       |                             |                         | 1,575                       |                         |                                |   |  |  |  |  |  |  |  |  |  |
| C00350   | Mitigation Specialist     | 3,150                    |                      |                           |                       |                             |                         | 3,150                       |                         |                                |   |  |  |  |  |  |  |  |  |  |
| C00400   | Assistant Public Defender | 118,650                  |                      |                           |                       |                             |                         | 118,650                     |                         |                                |   |  |  |  |  |  |  |  |  |  |
| C00460   | District Defender         | 24,078                   |                      |                           |                       |                             |                         | 24,078                      |                         |                                |   |  |  |  |  |  |  |  |  |  |
| C00550   | Division Director         | 2,829                    |                      |                           |                       |                             |                         | 2,829                       |                         |                                |   |  |  |  |  |  |  |  |  |  |
| C00560   | Program Technician        | 2,100                    |                      |                           |                       |                             |                         | 2,100                       |                         |                                |   |  |  |  |  |  |  |  |  |  |
| C00570   | Program Manager           | 2,450                    |                      |                           |                       |                             |                         | 2,450                       |                         |                                |   |  |  |  |  |  |  |  |  |  |
| C00600   | Director                  | 742                      |                      |                           |                       |                             |                         | 742                         |                         |                                |   |  |  |  |  |  |  |  |  |  |
| Total PS   |                           | 221,595                  | 0.0                  | 0                         | 0.0                   | 0                           | 0.0                     | 221,595                     |                         |                                |   |  |  |  |  |  |  |  |  |  |
| Grand Total  |                           | 221,595                  | 0.0                  | 0                         | 0.0                   | 0                           | 0.0                     | 221,595                     | 0.0                     | 0                              |   |  |  |  |  |  |  |  |  |  |

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM DETAIL**

| Budget Unit<br>Decision Item<br>Budget Object Class | FY 2018<br>ACTUAL<br>DOLLAR | FY 2018<br>ACTUAL<br>FTE | FY 2019<br>BUDGET<br>DOLLAR | FY 2019<br>BUDGET<br>FTE | FY 2020<br>DEPT REQ<br>DOLLAR | FY 2020<br>DEPT REQ<br>FTE | FY 2020<br>GOV REC<br>DOLLAR | FY 2020<br>GOV REC<br>FTE |
|---|-----------------------------|--------------------------|-----------------------------|--------------------------|-------------------------------|----------------------------|------------------------------|---------------------------|
| <b>OFFICE OF THE DIRECTOR</b>                       |                             |                          |                             |                          |                               |                            |                              |                           |
| Pay Plan FY19-Cost to Continue - 0000013            |                             |                          |                             |                          |                               |                            |                              |                           |
| SECRETARY   | 0                           | 0.00                     | 0                           | 0.00                     | 42,875                        | 0.00                       | 42,875                       | 0.00                      |
| COMPUTER INFO. SPECIALIST                           | 0                           | 0.00                     | 0                           | 0.00                     | 2,625                         | 0.00                       | 2,625                        | 0.00                      |
| INVESTIGATOR  | 0                           | 0.00                     | 0                           | 0.00                     | 20,521                        | 0.00                       | 20,521                       | 0.00                      |
| PARALEGAL   | 0                           | 0.00                     | 0                           | 0.00                     | 1,575                         | 0.00                       | 1,575                        | 0.00                      |
| MITIGATION SPECIALIST                               | 0                           | 0.00                     | 0                           | 0.00                     | 3,150                         | 0.00                       | 3,150                        | 0.00                      |
| ASSISTANT PUBLIC DEFENDER                           | 0                           | 0.00                     | 0                           | 0.00                     | 118,650                       | 0.00                       | 118,650                      | 0.00                      |
| DISTRICT DEFENDER                                   | 0                           | 0.00                     | 0                           | 0.00                     | 24,078                        | 0.00                       | 24,078                       | 0.00                      |
| DIVISION DIRECTOR                                   | 0                           | 0.00                     | 0                           | 0.00                     | 2,829                         | 0.00                       | 2,829                        | 0.00                      |
| PROGRAM TECHNICIAN                                  | 0                           | 0.00                     | 0                           | 0.00                     | 2,100                         | 0.00                       | 2,100                        | 0.00                      |
| PROGRAM MANAGER                                     | 0                           | 0.00                     | 0                           | 0.00                     | 2,450                         | 0.00                       | 2,450                        | 0.00                      |
| DIRECTOR  | 0                           | 0.00                     | 0                           | 0.00                     | 742                           | 0.00                       | 742                          | 0.00                      |
| <b>TOTAL - PS</b>                                   | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>221,595</b>                | <b>0.00</b>                | <b>221,595</b>               | <b>0.00</b>               |
| <b>GRAND TOTAL</b>                                  | <b>\$0</b>                  | <b>0.00</b>              | <b>\$0</b>                  | <b>0.00</b>              | <b>\$221,595</b>              | <b>0.00</b>                | <b>\$221,595</b>             | <b>0.00</b>               |
| GENERAL REVENUE                                     | \$0                         | 0.00                     | \$0                         | 0.00                     | \$221,595                     | 0.00                       | \$221,595                    | 0.00                      |
| FEDERAL FUNDS                                       | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       | \$0                          | 0.00                      |
| OTHER FUNDS   | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       | \$0                          | 0.00                      |

**NEW DECISION ITEM**

RANK: 2 OF 6

**Department:** Office of the State Public Defender

Budget Unit 15111C

**Division:** Legal Services

**DI Name:** Juvenile Advocacy Offices

DI# 1151001

HB Section 12.400

**1. AMOUNT OF REQUEST**

**FY 2020 Budget Request**

|              | GR               | Federal  | Other    | Total            | E |
|--------------|------------------|----------|----------|------------------|---|
| PS           | 913,786          | 0        | 0        | 913,786          |   |
| EE           | 175,297          | 0        | 0        | 175,297          |   |
| PSD          | 0                | 0        | 0        | 0                |   |
| TRF          | 0                | 0        | 0        | 0                |   |
| <b>Total</b> | <b>1,089,083</b> | <b>0</b> | <b>0</b> | <b>1,089,083</b> |   |

**FY 2020 Governor's Recommendation**

|              | GR       | Federal  | Other    | Total    | E |
|--------------|----------|----------|----------|----------|---|
| PS           | 0        | 0        | 0        | 0        |   |
| EE           | 0        | 0        | 0        | 0        |   |
| PSD          | 0        | 0        | 0        | 0        |   |
| TRF          | 0        | 0        | 0        | 0        |   |
| <b>Total</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> |   |

FTE 18.00 0.00 0.00 18.00

FTE 0.00 0.00 0.00 0.00

|                    |                |          |          |                |
|--------------------|----------------|----------|----------|----------------|
| <b>Est. Fringe</b> | <u>505,447</u> | <u>0</u> | <u>0</u> | <u>505,447</u> |
|--------------------|----------------|----------|----------|----------------|

|                    |          |          |          |          |
|--------------------|----------|----------|----------|----------|
| <b>Est. Fringe</b> | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> |
|--------------------|----------|----------|----------|----------|

Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Other Funds:

Other Funds:

**2. THIS REQUEST CAN BE CATEGORIZED AS:**

New Legislation  
Federal Mandate  
GR Pick-Up  
Pay Plan

New Program  
Program Expansion  
Space Request  
Other:

Fund Switch  
Cost to Continue  
Equipment Replacement

**3. WHY IS THIS FUNDING NEEDED? PROVIDE AN EXPLANATION FOR ITEMS CHECKED IN #2. INCLUDE THE FEDERAL OR STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS PROGRAM.**

In the Spring of 2013, the National Juvenile Defender Center issued an assessment of Missouri's system of juvenile indigent defense representation. The report was part of a national strategy to review state juvenile indigent defense delivery systems and to evaluate how effectively attorneys in juvenile court are fulfilling their constitutional and statutory obligations to their clients. (- Continued on Next Page)

| NEW DECISION ITEM |                                     |             |                |
|-------------------|-------------------------------------|-------------|----------------|
| RANK:             | <u>2</u>                            | OF          | <u>6</u>       |
| Department:       | Office of the State Public Defender | Budget Unit | <u>15111C</u>  |
| Division:         | Legal Services                      |             |                |
| DI Name:          | Juvenile Advocacy Offices           | DI#         | <u>1151001</u> |
|                   |                                     | HB Section  | <u>12.400</u>  |

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The study concluded that “Missouri’s indigent defense system is in crisis and has endured at least two decades of crushing caseloads and inadequate resources to provide its mandated services,” and little to no attention has been paid to what this crisis has meant to poor children accused of a criminal offense. Specifically, it found that:

“children facing criminal or status offenses in Missouri’s juvenile justice system frequently do so without the benefit of counsel or without adequate representation through all critical stages. There are significant gaps in both access to and quality of representation provided to youth that fall well below the standards established by the Institute of Judicial Administration and American Bar Association’s *Juvenile Justice Standards*, the ABA *Rules of Professional Conduct*, the *Ten Core Principles for Juvenile Indigent Defense* established by NJDC and NJDS’s newly released *National Juvenile Defense Standards*. Justice is often rationed to juveniles in Missouri for a variety of reasons, not the least of which is the crisis in the public defender system....”

Further, the NJDC assessment emphasized that "the defense lawyer plays a critical role for youth in delinquency court by protecting clients from unfairness, promoting accuracy in decision making, providing alternatives for decision makers, and monitoring institutional treatment, after care and reentry. Throughout the entire court process the juvenile defender is the individual responsible for bringing the child's perspective and interests before the court." Not only is the defense lawyer the child's voice, in order to adequately represent a child, they need to be knowledgeable in other areas including adolescent brain development, education law, childhood mental illnesses, trauma, and cognitive limitations, age-appropriate treatments and disposition options, and juvenile court practice and procedure. Specialization is critical when representing youth.

| NEW DECISION ITEM  |                                     |             |                |
|--|-------------------------------------|-------------|----------------|
| RANK:  | <u>2</u>                            | OF          | <u>6</u>       |
| Department:  | Office of the State Public Defender | Budget Unit | <u>15111C</u>  |
| Division:  | Legal Services                      |             |                |
| DI Name:   | Juvenile Advocacy Offices           | DI#         | <u>1151001</u> |
|  |                                     | HB Section  | <u>12.400</u>  |
| <b>4. DESCRIBE THE DETAILED ASSUMPTIONS USED TO DERIVE THE SPECIFIC REQUESTED AMOUNT. (How did you determine that the requested number of FTE were appropriate? From what source or standard did you derive the requested levels of funding? Were alternatives such as outsourcing or automation considered? If based on new legislation, does request tie to TAFF fiscal note? If not, explain why. Detail which portions of the request are one-times and how those amounts were calculated.)</b>  |                                     |             |                |
| <b>SIXTY FOUR PERCENT OF JUVENILES GO WITHOUT REPRESENTATION</b>   |                                     |             |                |
| <p>Utilizing data provided from the Office of the State Court's Administrator (OSCA), there were 16,544 formal juvenile cases filed statewide in Fiscal Year 2017, of which 12,227 were abuse/neglect cases, leaving 4,317 juvenile cases where the juvenile was entitled to an attorney. Of the 4,317 juveniles, if only 13% (the last number provided by OSCA) were actually represented by private counsel, that leaves 3,756 juvenile cases where the juvenile needed a public defender. However, in the same fiscal year, MSPD provided representation in just 1,617 juvenile cases. Sixty four percent of children who had a delinquency petition filed with the court were not represented by the state's indigent defense organization.</p> <p>Additionally, due to the legislature's successful adoption of Senate Bill 793 (Raise the Age) in 2018, children under the age of 17 will have their delinquency cases filed in juvenile court starting in January of 2021. The addition of this population of children in the juvenile justice system will result in the same need for specialized counsel. In fact, in 2018, MSPD provided representation in 735 cases in adult court where the defendant was less than 18 years old.</p> <p>As a result of this finding, the Missouri Juvenile Justice Association is seeking a rule or statutory change to prohibit the waiver of counsel by juveniles (this need has become even more so given the Department of Justice's findings in its 2015 report on St. Louis County). In the meantime, MSPD is pursuing the reinstatement of the two Juvenile Advocacy Units, one in the Kansas City area and one in the greater St. Louis area. (MSPD previously had these units, but had to relinquish them when trial division caseloads became too high and no additional personnel were added.)</p> <p>MSPD is requesting juvenile attorney staffing at the recommended RubinBrown workload standards. MSPD is also seeking one additional attorney in each office to represent juveniles certified to stand trial as an adult and to serve as a statewide juvenile resource attorney to assist local offices across the rest of the state.</p> |                                     |             |                |

| NEW DECISION ITEM   |                            |                           |                           |                            |                        |                              |                          |                              |                          |  |  |  |  |  |  |  |
|---|----------------------------|---------------------------|---------------------------|----------------------------|------------------------|------------------------------|--------------------------|------------------------------|--------------------------|--|--|--|--|--|--|--|
| RANK: <u>2</u>  |                            | OF <u>6</u>               |                           |                            |                        |                              |                          |                              |                          |  |  |  |  |  |  |  |
| Department: Office of the State Public Defender   |                            |                           | Budget Unit <u>15111C</u> |                            |                        |                              |                          |                              |                          |  |  |  |  |  |  |  |
| Division: Legal Services  |                            |                           | HB Section <u>12.400</u>  |                            |                        |                              |                          |                              |                          |  |  |  |  |  |  |  |
| DI Name: Juvenile Advocacy Offices DI# 1151001  |                            |                           |                           |                            |                        |                              |                          |                              |                          |  |  |  |  |  |  |  |
| <b>5. BREAK DOWN THE REQUEST BY BUDGET OBJECT CLASS, JOB CLASS, AND FUND SOURCE. IDENTIFY ONE-TIME COSTS.</b> |                            |                           |                           |                            |                        |                              |                          |                              |                          |  |  |  |  |  |  |  |
| Budget Object Class/Job Class   |                            | Dept Req<br>GR<br>DOLLARS | Dept Req<br>GR<br>FTE     | Dept Req<br>FED<br>DOLLARS | Dept Req<br>FED<br>FTE | Dept Req<br>OTHER<br>DOLLARS | Dept Req<br>OTHER<br>FTE | Dept Req<br>TOTAL<br>DOLLARS | Dept Req<br>TOTAL<br>FTE |  |  |  |  |  |  |  |
|   |                            |                           |                           |                            |                        |                              |                          |                              | One-Time<br>DOLLARS E    |  |  |  |  |  |  |  |
| C00200  | Secretary                  | 114,672                   | 4.0                       |                            |                        |                              |                          | 114,672                      |                          |  |  |  |  |  |  |  |
| C00300  | Investigator               | 63,216                    | 2.0                       |                            |                        |                              |                          | 63,216                       |                          |  |  |  |  |  |  |  |
| C00350  | Juvenile Disposition Spec. | 82,368                    | 2.0                       |                            |                        |                              |                          | 82,368                       |                          |  |  |  |  |  |  |  |
| C00400  | Assistant Public Defender  | 480,672                   | 8.0                       |                            |                        |                              |                          | 480,672                      |                          |  |  |  |  |  |  |  |
| C00460  | District Defender          | 172,858                   | 2.0                       |                            |                        |                              |                          | 172,858                      |                          |  |  |  |  |  |  |  |
|   |                            |                           |                           |                            |                        |                              |                          | 0                            | 0.0                      |  |  |  |  |  |  |  |
| Total PS  |                            | <u>913,786</u>            | <u>18.0</u>               | <u>0</u>                   | <u>0.0</u>             | <u>0</u>                     | <u>0.0</u>               | <u>913,786</u>               | <u>0.0</u>               |  |  |  |  |  |  |  |
| Travel / 140  |                            | <u>33,000</u>             |                           |                            |                        |                              |                          | <u>33,000</u>                |                          |  |  |  |  |  |  |  |
| Supplies / 190  |                            | <u>9,100</u>              |                           |                            |                        |                              |                          | <u>9,100</u>                 |                          |  |  |  |  |  |  |  |
| Rent / 680  |                            | <u>105,237</u>            |                           |                            |                        |                              |                          | <u>105,237</u>               |                          |  |  |  |  |  |  |  |
| Phones & Network Costs / 340  |                            | <u>12,960</u>             |                           |                            |                        |                              |                          | <u>12,960</u>                |                          |  |  |  |  |  |  |  |
| Professional Costs / 400  |                            | <u>15,000</u>             |                           |                            |                        |                              |                          | <u>15,000</u>                |                          |  |  |  |  |  |  |  |
|   |                            |                           |                           |                            |                        |                              |                          | 0                            |                          |  |  |  |  |  |  |  |
|   |                            |                           |                           |                            |                        |                              |                          | 0                            |                          |  |  |  |  |  |  |  |
| Total EE  |                            | <u>175,297</u>            |                           | <u>0</u>                   |                        | <u>0</u>                     |                          | <u>175,297</u>               |                          |  |  |  |  |  |  |  |
| Program Distributions   |                            |                           |                           |                            |                        |                              |                          | 0                            |                          |  |  |  |  |  |  |  |
| Total PSD   |                            | <u>0</u>                  |                           | <u>0</u>                   |                        | <u>0</u>                     |                          | <u>0</u>                     |                          |  |  |  |  |  |  |  |
| Transfers   |                            |                           |                           |                            |                        |                              |                          |                              |                          |  |  |  |  |  |  |  |
| Total TRF   |                            | <u>0</u>                  |                           | <u>0</u>                   |                        | <u>0</u>                     |                          | <u>0</u>                     |                          |  |  |  |  |  |  |  |
| Grand Total   |                            | <u>1,089,083</u>          | <u>18.0</u>               | <u>0</u>                   | <u>0.0</u>             | <u>0</u>                     | <u>0.0</u>               | <u>1,089,083</u>             | <u>0.0</u>               |  |  |  |  |  |  |  |

| NEW DECISION ITEM                               |                          |                      |                           |                       |                             |                         |                             |                         |                                  |
|---|--------------------------|----------------------|---------------------------|-----------------------|-----------------------------|-------------------------|-----------------------------|-------------------------|----------------------------------|
|   |                          | RANK: <u>2</u>       |                           | OF <u>6</u>           |                             |                         |                             |                         |                                  |
| Department: Office of the State Public Defender |                          |                      | Budget Unit               |                       | 15111C                      |                         |                             |                         |                                  |
| Division: Legal Services                        |                          |                      |                           |                       |                             |                         |                             |                         |                                  |
| DI Name: Juvenile Advocacy Offices              |                          |                      | DI# 1151001               |                       | HB Section                  |                         | 12.400                      |                         |                                  |
| Budget Object Class/Job Class                   | Gov Rec<br>GR<br>DOLLARS | Gov Rec<br>GR<br>FTE | Gov Rec<br>FED<br>DOLLARS | Gov Rec<br>FED<br>FTE | Gov Rec<br>OTHER<br>DOLLARS | Gov Rec<br>OTHER<br>FTE | Gov Rec<br>TOTAL<br>DOLLARS | Gov Rec<br>TOTAL<br>FTE | Gov Rec<br>One-Time<br>DOLLARS E |
| C00200 Secretary                                | 0                        | 0.0                  |                           |                       |                             |                         | 0                           |                         |                                  |
| C00300 Investigator                             | 0                        | 0.0                  |                           |                       |                             |                         | 0                           |                         |                                  |
| C00350 Juvenile Disposition Spec.               | 0                        | 0.0                  |                           |                       |                             |                         | 0                           |                         |                                  |
| C00400 Assistant Public Defender                | 0                        | 0.0                  |                           |                       |                             |                         | 0                           |                         |                                  |
| C00460 District Defender                        | 0                        | 0.0                  |                           |                       |                             |                         | 0                           |                         | 0.0                              |
| Total PS  | 0                        | 0.0                  | 0                         | 0.0                   | 0                           | 0.0                     | 0                           | 0.0                     | 0                                |
| Travel / 140                                    | 0                        |                      |                           |                       |                             |                         | 0                           |                         | 0                                |
| Supplies / 190                                  | 0                        |                      |                           |                       |                             |                         | 0                           |                         | 0                                |
| Rent / 680                                      | 0                        |                      |                           |                       |                             |                         | 0                           |                         | 0                                |
| Phones & Network Costs / 340                    | 0                        |                      |                           |                       |                             |                         | 0                           |                         | 0                                |
| Professional Costs / 400                        | 0                        |                      |                           |                       |                             |                         | 0                           |                         | 0                                |
| Total EE  | 0                        |                      | 0                         |                       | 0                           |                         | 0                           |                         | 0                                |
| Program Distributions                           |                          |                      |                           |                       |                             |                         | 0                           |                         |                                  |
| Total PSD                                       | 0                        |                      | 0                         |                       | 0                           |                         | 0                           |                         | 0                                |
| Transfers                                       |                          |                      |                           |                       |                             |                         |                             |                         |                                  |
| Total TRF                                       | 0                        |                      | 0                         |                       | 0                           |                         | 0                           |                         | 0                                |
| Grand Total                                     | 0                        | 0.0                  | 0                         | 0.0                   | 0                           | 0.0                     | 0                           | 0.0                     | 0                                |

| Missouri State Public Defender<br>JUVENILE CASELOAD                    |              |                                       |                  |
|--|--------------|---------------------------------------|------------------|
| <b>ST. LOUIS AREA - FY2018 Cases + Estimated "Raise the Age" Cases</b> |              |                                       |                  |
| Franklin County  | 9            |                                       |                  |
| Jefferson County   | 38           |                                       |                  |
| St. Charles County   | 45           |                                       |                  |
| St. Louis City   | 151          |                                       |                  |
| St. Louis County   | 157          |                                       |                  |
| Raise the Age  | <u>141</u>   |                                       |                  |
| Total Number of Cases  | 541          |                                       |                  |
| * RubinBrown/ABA Hours   | <u>19.50</u> |                                       |                  |
| Hours Required   | 10,549.50    |                                       |                  |
| / Hours per Attorney Per Year  | 2,080.00     | Does Not Include Travel or Court Time |                  |
|  | 5.07         |                                       |                  |
| Director of Juvenile Defense and Policy                                | 1.00         |                                       |                  |
| Statewide Juvenile Resource Attorney                                   | <u>1.00</u>  |                                       |                  |
| Total Attorneys Requested  | 7.07         | (Round to 7)                          |                  |
| <br><u>Job Titles</u>  | <u>FTE</u>   | <u>Salary</u>                         | <u>Cost</u>      |
| District Defender  | 1.00         | \$86,429                              | \$86,429         |
| Assistant Public Defenders III   | 6.00         | \$60,084                              | \$360,504        |
| Juvenile Dispositional Specialist                                      | 1.00         | \$41,184                              | \$41,184         |
| Legal Assistant  | 1.00         | \$28,668                              | \$28,668         |
| Investigator   | 1.00         | \$31,608                              | \$31,608         |
| Secretary  | <u>1.00</u>  | \$28,668                              | <u>\$28,668</u>  |
| TOTAL PERSONAL SERVICE   | 11.00        |                                       | \$577,061        |
| <br><u>Travel &amp; Parking</u>  |              |                                       |                  |
| \$95/ mo * 12 * 11 = Parking   |              |                                       | \$12,540         |
| \$200/ mo * 12 * 10 = Mileage  |              |                                       | \$24,000         |
| <br><u>Supplies</u>  |              |                                       | \$3,000          |
| Professional   |              |                                       | \$7,500          |
| Telephone \$90/mo * 12   |              |                                       | \$1,080          |
| Network Costs \$450/mo * 12 months                                     |              |                                       | \$5,400          |
| Postage \$200/mo * 12 months   |              |                                       | \$2,400          |
| Building Costs   |              |                                       | <u>\$45,792</u>  |
| TOTAL EXPENSE & EQUIPMENT  |              |                                       | \$101,712        |
| <br><b>TOTAL COSTS ST. LOUIS AREA</b>                                  |              |                                       | <b>\$678,773</b> |

| Missouri State Public Defender<br>JUVENILE CASELOAD                                    |             |   |                    |
|--|-------------|---|--------------------|
| KANSAS CITY AREA -FY2018 Cases + Estimated "Raise the Age" Cases                       |             |   |                    |
| Jackson County   | 165         |   |                    |
| Raise the Age  | 73          |   |                    |
| Total Number of Cases  | 238         |   |                    |
| * RubinBrown/ABA Hours   | 19.50       | *Does Not Include Travel<br>or Court Time |                    |
| Hours Required   | 4641.00     |   |                    |
| / Hours per Attorney Per Year  | 2080.00     |   |                    |
|  | 2.23        |   |                    |
| Statewide Juvenile Resource Attorney   | 1.00        |   |                    |
| Total Attorneys Requested  | 3.23        | (Round to 3)                              |                    |
| <b>Job Titles</b>  | <b>FTE</b>  | <b>Salary</b>                             | <b>Cost</b>        |
| District Defender  | 1.00        | \$86,429                                  | \$86,429           |
| Assistant Public Defenders III   | 2.00        | \$60,084                                  | \$120,168          |
| Juvenile Dispositional Specialist  | 1.00        | \$41,184                                  | \$41,184           |
| Legal Assistant  | 1.00        | \$28,668                                  | \$28,668           |
| Investigator   | 1.00        | \$31,608                                  | \$31,608           |
| Secretary  | 1.00        | \$28,668                                  | \$28,668           |
| <b>TOTAL PERSONAL SERVICE</b>  | <b>7.00</b> |   | <b>\$336,725</b>   |
| Travel & Parking   |             |   |                    |
| \$65/ mo *12*7 = Parking   |             |   | \$5,460            |
| \$125/ mo *12*6 = Mileage  |             |   | \$9,000            |
| Supplies   |             |   | \$2,500            |
| Professional   |             |   | \$7,500            |
| Telephone \$90/mo *12  |             |   | \$1,080            |
| Network Costs \$450/mo * 12  |             |   | \$5,400            |
| Postage \$100/mo * 12  |             |   | \$1,200            |
| Building Costs   |             |   | \$41,445           |
| <b>TOTAL EXPENSE &amp; EQUIPMENT</b>   |             |   | <b>\$73,585</b>    |
| <b>TOTAL COSTS JACKSON COUNTY</b>  |             |   | <b>\$410,310</b>   |
| <b>TOTAL COSTS FOR EXISTING JUVENILE CASES<br/>ST. LOUIS AREA &amp; JACKSON COUNTY</b> |             |   | <b>\$1,089,083</b> |

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM DETAIL**

| Budget Unit<br>Decision Item<br>Budget Object Class | FY 2018<br>ACTUAL<br>DOLLAR | FY 2018<br>ACTUAL<br>FTE | FY 2019<br>BUDGET<br>DOLLAR | FY 2019<br>BUDGET<br>FTE | FY 2020<br>DEPT REQ<br>DOLLAR | FY 2020<br>DEPT REQ<br>FTE | FY 2020<br>GOV REC<br>DOLLAR | FY 2020<br>GOV REC<br>FTE |
|---|-----------------------------|--------------------------|-----------------------------|--------------------------|-------------------------------|----------------------------|------------------------------|---------------------------|
| <b>OFFICE OF THE DIRECTOR</b>                       |                             |                          |                             |                          |                               |                            |                              |                           |
| <b>Juvenile Advocacy Offices - 1151001</b>          |                             |                          |                             |                          |                               |                            |                              |                           |
| SECRETARY   | 0                           | 0.00                     | 0                           | 0.00                     | 114,672                       | 4.00                       | 0                            | 0.00                      |
| INVESTIGATOR  | 0                           | 0.00                     | 0                           | 0.00                     | 63,216                        | 2.00                       | 0                            | 0.00                      |
| MITIGATION SPECIALIST                               | 0                           | 0.00                     | 0                           | 0.00                     | 82,368                        | 2.00                       | 0                            | 0.00                      |
| ASSISTANT PUBLIC DEFENDER                           | 0                           | 0.00                     | 0                           | 0.00                     | 480,672                       | 8.00                       | 0                            | 0.00                      |
| DISTRICT DEFENDER                                   | 0                           | 0.00                     | 0                           | 0.00                     | 172,858                       | 2.00                       | 0                            | 0.00                      |
| <b>TOTAL - PS</b>                                   | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>913,786</b>                | <b>18.00</b>               | <b>0</b>                     | <b>0.00</b>               |
| TRAVEL, IN-STATE                                    | 0                           | 0.00                     | 0                           | 0.00                     | 33,000                        | 0.00                       | 0                            | 0.00                      |
| SUPPLIES  | 0                           | 0.00                     | 0                           | 0.00                     | 9,100                         | 0.00                       | 0                            | 0.00                      |
| COMMUNICATION SERV & SUPP                           | 0                           | 0.00                     | 0                           | 0.00                     | 12,960                        | 0.00                       | 0                            | 0.00                      |
| PROFESSIONAL SERVICES                               | 0                           | 0.00                     | 0                           | 0.00                     | 15,000                        | 0.00                       | 0                            | 0.00                      |
| BUILDING LEASE PAYMENTS                             | 0                           | 0.00                     | 0                           | 0.00                     | 105,237                       | 0.00                       | 0                            | 0.00                      |
| <b>TOTAL - EE</b>                                   | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>175,297</b>                | <b>0.00</b>                | <b>0</b>                     | <b>0.00</b>               |
| <b>GRAND TOTAL</b>                                  | <b>\$0</b>                  | <b>0.00</b>              | <b>\$0</b>                  | <b>0.00</b>              | <b>\$1,089,083</b>            | <b>18.00</b>               | <b>\$0</b>                   | <b>0.00</b>               |
| GENERAL REVENUE                                     | \$0                         | 0.00                     | \$0                         | 0.00                     | \$1,089,083                   | 18.00                      |                              | 0.00                      |
| FEDERAL FUNDS                                       | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       |                              | 0.00                      |
| OTHER FUNDS   | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       |                              | 0.00                      |

**NEW DECISION ITEM**  
 RANK: 3 OF 6

| Department: <u>Office of the State Public Defender</u>  | Budget Unit <u>15111C</u>  |  |          |                  |   |                    |          |          |          |          |   |
|---|--|--|----------|------------------|---|--------------------|----------|----------|----------|----------|---|
| Division: <u>Legal Services</u>   |  |  |          |                  |   |                    |          |          |          |          |   |
| DI Name: <u>Increased Contract Counsel Fees</u>   | DI# <u>'1151002</u>  |  |          |                  |   |                    |          |          |          |          |   |
|   | HB Section <u>12.400</u>   |  |          |                  |   |                    |          |          |          |          |   |
| <b>1. AMOUNT OF REQUEST</b>   |  |  |          |                  |   |                    |          |          |          |          |   |
| FY 2020 Budget Request  |  |  |          |                  | FY 2020 Governor's Recommendation   |                    |          |          |          |          |   |
|   | GR   | Federal  | Other    | Total            | E   |                    | GR       | Federal  | Other    | Total    | E |
| PS  | 0  | 0  | 0        | 0                |   | PS                 | 0        | 0        | 0        | 0        |   |
| EE  | 2,350,083  | 0  | 0        | 2,350,083        |   | EE                 | 0        | 0        | 0        | 0        |   |
| PSD   | 0  | 0  | 0        | 0                |   | PSD                | 0        | 0        | 0        | 0        |   |
| TRF   | 0  | 0  | 0        | 0                |   | TRF                | 0        | 0        | 0        | 0        |   |
| <b>Total</b>  | <b>2,350,083</b>   | <b>0</b>                                       | <b>0</b> | <b>2,350,083</b> |   | <b>Total</b>       | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> |   |
| FTE   | 0.00   | 0.00   | 0.00     | 0.00             |   | FTE                | 0.00     | 0.00     | 0.00     | 0.00     |   |
| <i>Est. Fringe</i>  | 0  | 0  | 0        | 0                |   | <i>Est. Fringe</i> | 0        | 0        | 0        | 0        |   |
| Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation. |  |  |          |                  | Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation. |                    |          |          |          |          |   |
| Other Funds:  |  |  |          |                  | Other Funds:  |                    |          |          |          |          |   |
| <b>2. THIS REQUEST CAN BE CATEGORIZED AS:</b>   |  |  |          |                  |   |                    |          |          |          |          |   |
| <input type="checkbox"/> New Legislation  | <input type="checkbox"/> New Program                                       | <input type="checkbox"/> Fund Switch           |          |                  |   |                    |          |          |          |          |   |
| <input type="checkbox"/> Federal Mandate  | <input type="checkbox"/> Program Expansion                                 | <input type="checkbox"/> Cost to Continue      |          |                  |   |                    |          |          |          |          |   |
| <input type="checkbox"/> GR Pick-Up   | <input type="checkbox"/> Space Request                                     | <input type="checkbox"/> Equipment Replacement |          |                  |   |                    |          |          |          |          |   |
| <input type="checkbox"/> Pay Plan   | <input checked="" type="checkbox"/> Other: <u>Contract Rate Adjustment</u> |  |          |                  |   |                    |          |          |          |          |   |

**NEW DECISION ITEM**  
RANK: 3 OF 6

|  |                           |
|--|---------------------------|
| Department: <u>Office of the State Public Defender</u> | Budget Unit <u>15111C</u> |
| Division: <u>Legal Services</u>                        |                           |
| DI Name: <u>Increased Contract Counsel Fees</u>        | DI# <u>'1151002</u>       |

**3. WHY IS THIS FUNDING NEEDED? PROVIDE AN EXPLANATION FOR ITEMS CHECKED IN #2. INCLUDE THE FEDERAL OR STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS PROGRAM.**

MSPD is requesting an additional \$2,332,352 to increase private attorney fee rates paid in contracted cases.

In Fiscal Year 2018, MSPD spending authority for case contracting increased by \$4,500,000, nearly tripling our case contracting budget. These funds are used for contracting case conflicts to private attorneys. As a result MSPD increased the number of cases contracted to private attorneys from 3,938 in FY17 to 10,266 in FY18. Over thirteen percent (13%) of MSPD's total caseload was provided representation by private counsel. Eliminating or minimizing conflicts provides for more efficient use of staff attorney time by reducing time-consuming travel as well as providing critical caseload relief to an unconstitutionally overburdened system. Indigent defense in Missouri is now truly a public-private partnership.

However, despite the resulting need for more private attorneys to participate in MSPD's panel attorney program and despite significant recruiting efforts, as a result of low, outdated fees MSPD has been unable to significantly recruit additional private attorneys, with the number participating remaining around 230, leaving far too few private attorneys to handle the large number of cases we contract across the state. For instance there are no active panel attorneys in 59 of Missouri's counties. In many other counties there are too few, or too few with the necessary experience and willingness to handle serious cases. As a result, in order to provide coverage to the entire state, MSPD requires that panel attorneys sign up by Judicial Circuit rather than by County and frequently assigns cases to private attorneys more than 45 miles away, and sometimes significantly more. As a result of too many assignments to too few panel attorneys, the participating panel attorneys frequently remove themselves from the panel for a period of time because their caseloads have grown too large to be manageable.

In order to successfully continue this public-private partnership MSPD must be able to recruit and retain more panel attorneys. MSPD's current attorney fee schedule has remained the same for almost two decades, with no increase in compensation to private attorneys. Therefore, MSPD is requesting an increase in the fee rates paid to private attorneys. The resulting rates would continue to be significantly below market rate, but would be a meaningful increase, encouraging private attorneys to join and remain on MSPD's panel and to allow cases to be handled more expeditiously by having attorneys closer to the courts, to the incarcerated clients, and to the witnesses.

**NEW DECISION ITEM**  
**RANK: 3 OF 6**

Department: Office of the State Public Defender  
Division: Legal Services  
DI Name: Increased Contract Counsel Fees DI# '1151002

Budget Unit 15111C  
HB Section 12.400

**4. DESCRIBE THE DETAILED ASSUMPTIONS USED TO DERIVE THE SPECIFIC REQUESTED AMOUNT. (How did you determine that the requested number of FTE were appropriate? From what source or standard did you derive the requested levels of funding? Were alternatives such as outsourcing or automation considered? If based on new legislation, does request tie to TAFP fiscal note? If not, explain why. Detail which portions of the request are one-times and how those amounts were calculated.)**

| Missouri State Public Defender<br>Private Counsel<br>Fee Schedule |                                 |                       |                                 |                    |                        |                              |                         |
|---|---------------------------------|-----------------------|---------------------------------|--------------------|------------------------|------------------------------|-------------------------|
| Case Type   | Description                     | FY2019 Contract Rates | FY2020 Requested Contract Rates | Amount of Increase | Percentage of Increase | FY19 Budgeted Cases Assigned | Additional FY2020 Costs |
| 15  | Murder 1st Degree               | \$10,000              | \$12,000                        | \$2,000            | 20.00%                 | 41                           | \$81,585                |
| 62  | Sexual Predator Trial           | \$8,000               | \$8,000                         | \$0                | 0.00%                  | 1                            | \$0                     |
| 62  | Sexual Predator Hearing         | \$4,000               | \$4,000                         | \$0                | 0.00%                  | 1                            | \$0                     |
| 20  | Other Homicide                  | \$6,000               | \$7,000                         | \$1,000            | 16.67%                 | 44                           | \$43,574                |
| 30D   | AB Felony Drug                  | \$750                 | \$1,000                         | \$250              | 33.33%                 | 176                          | \$44,037                |
| 30F   | AB Felony Other                 | \$1,500               | \$2,000                         | \$500              | 33.33%                 | 720                          | \$360,178               |
| 30X   | AB Felony Sex                   | \$2,000               | \$2,500                         | \$500              | 25.00%                 | 70                           | \$35,230                |
| 35D   | CDE Felony Drug                 | \$750                 | \$1,000                         | \$250              | 33.33%                 | 2,402                        | \$600,529               |
| 35F   | CDE Felony Other                | \$750                 | \$1,000                         | \$250              | 33.33%                 | 3,296                        | \$823,960               |
| 35X   | CDE Felony Sex                  | \$1,500               | \$2,000                         | \$500              | 33.33%                 | 20                           | \$10,198                |
| 45M   | Misdemeanor                     | \$375                 | \$500                           | \$125              | 33.33%                 | 1,318                        | \$164,792               |
| 50N   | Juvenile - Non Violent          | \$500                 | \$500                           | \$0                | 0.00%                  | 57                           | \$0                     |
| 50V   | Juvenile - Violent              | \$750                 | \$1,000                         | \$250              | 33.33%                 | 44                           | \$10,893                |
| 65  | Probation Violation             | \$375                 | \$500                           | \$125              | 33.33%                 | 1,248                        | \$155,985               |
| 110F & S  | Direct Appeals - Felony & Misd. | \$3,750               | \$4,000                         | \$250              | 6.67%                  | 58                           | \$14,602                |
| 124A  | Rule 24.035 Appeal              | \$500                 | \$750                           | \$250              | 50.00%                 | -                            | \$0                     |
| 124M  | Rule 24.035 Motion              | \$500                 | \$750                           | \$250              | 50.00%                 | 6                            | \$1,391                 |
| 129A  | Rule 29.15 Appeal               | \$1,875               | \$2,000                         | \$125              | 6.67%                  | 6                            | \$811                   |
| 129M  | Rule 29.15 Motion               | \$1,000               | \$1,250                         | \$250              | 25.00%                 | 9                            | \$2,318                 |
|   |                                 |                       |                                 |                    |                        |                              | \$2,350,083             |

**NEW DECISION ITEM**  
 RANK: 3 OF 6

| Department: <u>Office of the State Public Defender</u>  | Budget Unit <u>15111C</u> |                       |                            |                        |                              |                          |                              |                          |                                 |               |
|---|---------------------------|-----------------------|----------------------------|------------------------|------------------------------|--------------------------|------------------------------|--------------------------|---------------------------------|---------------|
| Division: <u>Legal Services</u>   |                           |                       |                            |                        |                              |                          |                              |                          |                                 |               |
| DI Name: <u>Increased Contract Counsel Fees</u>   | DI# <u>'1151002</u>       |                       |                            |                        |                              |                          |                              |                          |                                 |               |
|   | HB Section <u>12.400</u>  |                       |                            |                        |                              |                          |                              |                          |                                 |               |
| <b>5. BREAK DOWN THE REQUEST BY BUDGET OBJECT CLASS, JOB CLASS, AND FUND SOURCE. IDENTIFY ONE-TIME COSTS.</b> |                           |                       |                            |                        |                              |                          |                              |                          |                                 |               |
| Budget Object Class/Job Class   | Dept Req<br>GR<br>DOLLARS | Dept Req<br>GR<br>FTE | Dept Req<br>FED<br>DOLLARS | Dept Req<br>FED<br>FTE | Dept Req<br>OTHER<br>DOLLARS | Dept Req<br>OTHER<br>FTE | Dept Req<br>TOTAL<br>DOLLARS | Dept Req<br>TOTAL<br>FTE | Dept Req<br>One-Time<br>DOLLARS | Dept Req<br>E |
| Total PS  | 0                         | 0.0                   | 0                          | 0.0                    | 0                            | 0.0                      | 0                            | 0.0                      | 0                               | 0             |
| Professional Costs / 400  | <u>2,350,083</u>          |                       |                            |                        |                              |                          | <u>2,350,083</u>             |                          |                                 |               |
| Total EE  | <u>2,350,083</u>          |                       | 0                          |                        | 0                            |                          | <u>2,350,083</u>             |                          |                                 | 0             |
| Program Distributions   |                           |                       |                            |                        |                              |                          | 0                            |                          |                                 |               |
| Total PSD   | 0                         |                       | 0                          |                        | 0                            |                          | 0                            |                          |                                 | 0             |
| Transfers   |                           |                       |                            |                        |                              |                          |                              |                          |                                 |               |
| Total TRF   | 0                         |                       | 0                          |                        | 0                            |                          | 0                            |                          |                                 | 0             |
| <b>Grand Total</b>  | <b><u>2,350,083</u></b>   | <b>0.0</b>            | <b>0</b>                   | <b>0.0</b>             | <b>0</b>                     | <b>0.0</b>               | <b><u>2,350,083</u></b>      | <b>0.0</b>               | <b>0</b>                        |               |

**NEW DECISION ITEM**  
 RANK: 3 OF 6

| Department:                   | Office of the State Public Defender | Budget Unit          | 15111C                    |                       |                             |                         |                             |                         |                                |   |
|-------------------------------|-------------------------------------|----------------------|---------------------------|-----------------------|-----------------------------|-------------------------|-----------------------------|-------------------------|--------------------------------|---|
| Division:                     | Legal Services                      |                      |                           |                       |                             |                         |                             |                         |                                |   |
| DI Name:                      | Increased Contract Counsel Fees     | DI# '1151002         | HB Section 12.400         |                       |                             |                         |                             |                         |                                |   |
| <hr/>                         |                                     |                      |                           |                       |                             |                         |                             |                         |                                |   |
| Budget Object Class/Job Class | Gov Rec<br>GR<br>DOLLARS            | Gov Rec<br>GR<br>FTE | Gov Rec<br>FED<br>DOLLARS | Gov Rec<br>FED<br>FTE | Gov Rec<br>OTHER<br>DOLLARS | Gov Rec<br>OTHER<br>FTE | Gov Rec<br>TOTAL<br>DOLLARS | Gov Rec<br>TOTAL<br>FTE | Gov Rec<br>One-Time<br>DOLLARS | E |
| Total PS                      | 0                                   | 0.0                  | 0                         | 0.0                   | 0                           | 0.0                     | 0                           | 0.0                     | 0.0                            | 0 |
| Professional Costs / 400      | 0                                   |                      |                           |                       |                             |                         | 0                           |                         |                                |   |
| Total EE                      | 0                                   |                      | 0                         |                       | 0                           |                         | 0                           |                         |                                | 0 |
| Program Distributions         |                                     |                      |                           |                       |                             |                         | 0                           |                         |                                |   |
| Total PSD                     | 0                                   |                      | 0                         |                       | 0                           |                         | 0                           |                         |                                | 0 |
| Transfers                     |                                     |                      |                           |                       |                             |                         |                             |                         |                                |   |
| Total TRF                     | 0                                   |                      | 0                         |                       | 0                           |                         | 0                           |                         |                                | 0 |
| <b>Grand Total</b>            | <b>0</b>                            | <b>0.0</b>           | <b>0</b>                  | <b>0.0</b>            | <b>0</b>                    | <b>0.0</b>              | <b>0</b>                    | <b>0.0</b>              | <b>0</b>                       |   |

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM DETAIL**

| Budget Unit                         | FY 2018<br>ACTUAL<br>DOLLAR | FY 2018<br>ACTUAL<br>FTE | FY 2019<br>BUDGET<br>DOLLAR | FY 2019<br>BUDGET<br>FTE | FY 2020<br>DEPT REQ<br>DOLLAR | FY 2020<br>DEPT REQ<br>FTE | FY 2020<br>GOV REC<br>DOLLAR | FY 2020<br>GOV REC<br>FTE |
|-------------------------------------|-----------------------------|--------------------------|-----------------------------|--------------------------|-------------------------------|----------------------------|------------------------------|---------------------------|
| <b>OFFICE OF THE DIRECTOR</b>       |                             |                          |                             |                          |                               |                            |                              |                           |
| <b>Contract Fee Rates - 1151002</b> |                             |                          |                             |                          |                               |                            |                              |                           |
| PROFESSIONAL SERVICES               | 0                           | 0.00                     | 0                           | 0.00                     | 2,350,083                     | 0.00                       | 0                            | 0.00                      |
| <b>TOTAL - EE</b>                   | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>2,350,083</b>              | <b>0.00</b>                | <b>0</b>                     | <b>0.00</b>               |
| <b>GRAND TOTAL</b>                  | <b>\$0</b>                  | <b>0.00</b>              | <b>\$0</b>                  | <b>0.00</b>              | <b>\$2,350,083</b>            | <b>0.00</b>                | <b>\$0</b>                   | <b>0.00</b>               |
| GENERAL REVENUE                     | \$0                         | 0.00                     | \$0                         | 0.00                     | \$2,350,083                   | 0.00                       |                              | 0.00                      |
| FEDERAL FUNDS                       | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       |                              | 0.00                      |
| OTHER FUNDS                         | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       |                              | 0.00                      |

**NEW DECISION ITEM**  
**RANK: 2 OF 6**

**Department:** Office of the State Public Defender      **Budget Unit** 15111C  
**Division:** Legal Services  
**DI Name:** Springfield Appellate Office      **DI#** '1151005      **HB Section** 12.400

**1. AMOUNT OF REQUEST**

|              | FY 2020 Budget Request |          |          |                |   | FY 2020 Governor's Recommendation |          |          |          |          |
|--------------|------------------------|----------|----------|----------------|---|-----------------------------------|----------|----------|----------|----------|
|              | GR                     | Federal  | Other    | Total          | E | PS                                | Federal  | Other    | Total    | E        |
| PS           | 475,793                | 0        | 0        | 475,793        |   | PS                                | 0        | 0        | 0        | 0        |
| EE           | 99,740                 | 0        | 0        | 99,740         |   | EE                                | 0        | 0        | 0        | 0        |
| PSD          | 0                      | 0        | 0        | 0              |   | PSD                               | 0        | 0        | 0        | 0        |
| TRF          | 0                      | 0        | 0        | 0              |   | TRF                               | 0        | 0        | 0        | 0        |
| <b>Total</b> | <b>575,533</b>         | <b>0</b> | <b>0</b> | <b>575,533</b> |   | <b>Total</b>                      | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> |

|     |      |      |      |      |     |      |      |      |      |
|-----|------|------|------|------|-----|------|------|------|------|
| FTE | 9.00 | 0.00 | 0.00 | 9.00 | FTE | 0.00 | 0.00 | 0.00 | 0.00 |
|-----|------|------|------|------|-----|------|------|------|------|

|                    |         |   |   |         |
|--------------------|---------|---|---|---------|
| <b>Est. Fringe</b> | 258,482 | 0 | 0 | 258,482 |
|--------------------|---------|---|---|---------|

Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

|                    |   |   |   |   |
|--------------------|---|---|---|---|
| <b>Est. Fringe</b> | 0 | 0 | 0 | 0 |
|--------------------|---|---|---|---|

Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Other Funds:

Other Funds:

**2. THIS REQUEST CAN BE CATEGORIZED AS:**

|                 |   |                   |                       |
|-----------------|---|-------------------|-----------------------|
| New Legislation | X | New Program       | Fund Switch           |
| Federal Mandate |   | Program Expansion | Cost to Continue      |
| GR Pick-Up      |   | Space Request     | Equipment Replacement |
| Pay Plan        |   | Other:            |                       |

**3. WHY IS THIS FUNDING NEEDED? PROVIDE AN EXPLANATION FOR ITEMS CHECKED IN #2. INCLUDE THE FEDERAL OR STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS PROGRAM.**

The Appellate/Post-conviction Division presents unique overload issues, which unlike Trial Division conflicts, are best addressed not through increased contracting to private counsel, but by the creation of an additional appellate/post-conviction office in Springfield, Missouri.

| <b>NEW DECISION ITEM</b> |  |                    |                 |
|--------------------------|--|--------------------|-----------------|
| <b>RANK:</b>             | <u>2</u>                                   | <b>OF</b>          | <u>6</u>        |
| <b>Department:</b>       | <b>Office of the State Public Defender</b> | <b>Budget Unit</b> | <u>15111C</u>   |
| <b>Division:</b>         | <b>Legal Services</b>                      |                    |                 |
| <b>DI Name:</b>          | <b>Springfield Appellate Office</b>        | <b>DI#</b>         | <u>'1151005</u> |
|                          |  | <b>HB Section</b>  | <u>12.400</u>   |

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The attorneys in this division represent defendants who have already been convicted of a crime and are raising issues of error in the judicial process that led to their conviction. Post-conviction counsel must always review and raise, where appropriate, the issue of ineffective assistance of the client's previous counsel. This means that the office that provides appellate representation for a client will always have a conflict handling that client's post-conviction proceedings, which is why MSPD has six appellate/post-conviction offices, two each in St. Louis, Kansas City, and Columbia. Each pair of offices is able to handle conflict cases for one another, without (most) of those cases having to be shipped across the state to one of the other two appellate/post-conviction office locations.

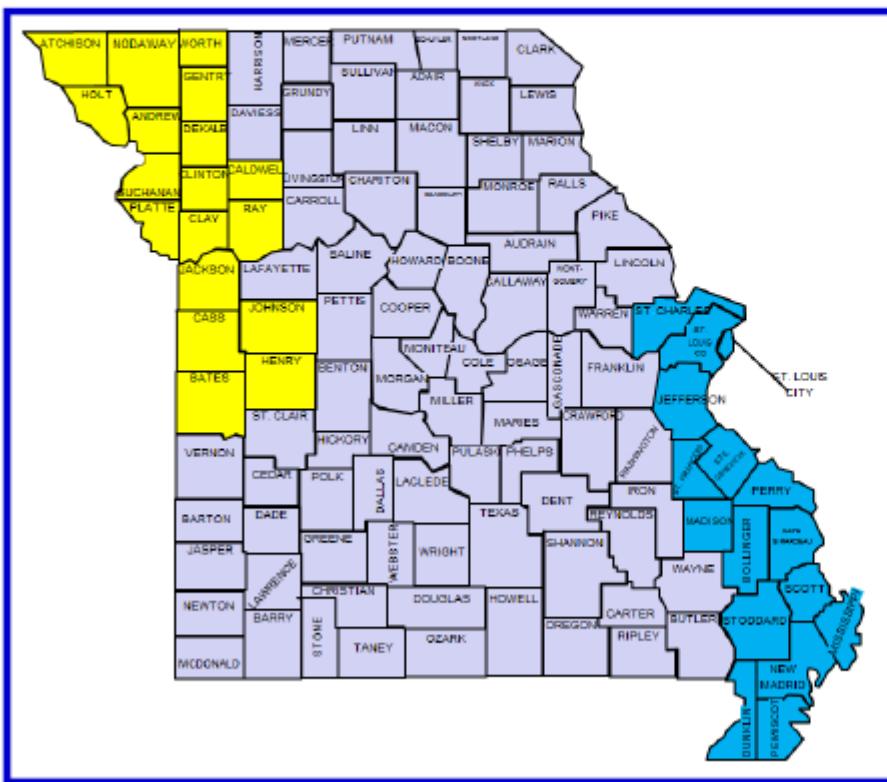
However, travel is still a significant problem in this division because of the nature of post-conviction proceedings, which take place in the circuit court of conviction. This means MSPD has five offices covering post-conviction proceedings in 114 counties plus the City of St. Louis. (Only one of the offices in Columbia handles post-conviction matters, the other handles only appellate cases.) The map on the next page shows how the counties are currently divided among the existing offices. As the map indicates, the heavier concentration of cases in the two urban areas of St. Louis and Kansas City leave the attorneys in those areas unable to take on as many counties as their Central Missouri counterparts are required to cover. But even with fewer cases coming in from each of the outstate (gray) counties, MSPD's Central PCR office is carrying a caseload at 362% of its attorney capacity. The amount of travel involved makes it an equation that is simply not sustainable.

| NEW DECISION ITEM  |                                     |             |                |
|--|-------------------------------------|-------------|----------------|
| RANK:  | <u>2</u>                            | OF          | <u>6</u>       |
| Department:  | Office of the State Public Defender | Budget Unit | <u>15111C</u>  |
| Division:  | Legal Services                      |             |                |
| DI Name:   | Springfield Appellate Office        | DI#         | <u>1151005</u> |
|  |                                     | HB Section  | <u>12.400</u>  |
| <b>4. DESCRIBE THE DETAILED ASSUMPTIONS USED TO DERIVE THE SPECIFIC REQUESTED AMOUNT. (How did you determine that the requested number of FTE were appropriate? From what source or standard did you derive the requested levels of funding? Were alternatives such as outsourcing or automation considered? If based on new legislation, does request tie to TAFF fiscal note? If not, explain why. Detail which portions of the request are one-times and how those amounts were calculated.)</b>  |                                     |             |                |
| <p>MSPD has attempted to reduce the travel burden on these offices by contracting out “remote-county PCR’s”, as they are known within the System, to local private counsel, but this approach has not been successful. Post-conviction practice is unique and very technical. Very few private attorneys have any experience, much less expertise, in these types of cases. MSPD’s attempts to contract these cases to private counsel have too frequently resulted in the cases having to be brought back in-System to correct significant, case-changing errors made by attorneys who are in over their heads. MSPD attempted to address this problem by offering training to private attorneys interested in taking these cases, but that, too, has proved insufficient to the task. Few accepted the opportunity and those who did, ended up taking these cases so infrequently that any benefit they may have received from the training has long since worn off by the time they get their next PCR.</p> <p>Therefore, this decision item will address the problem by adding an additional office in Springfield. Missouri’s appellate courts are located in St. Louis, Kansas City, and Springfield (with the Supreme Court in Jefferson City), so the new office would be conveniently located to the appellate court, while also reducing the travel time associated with a majority of the post-conviction cases in southwest Missouri. As expected, given the fact that Springfield is Missouri’s third most populated city and Joplin is not far behind, the southwest region of the state accounts for a significant number of the post-conviction cases currently overloading the Central PCR office. Creating an additional Appellate/PCR office in Springfield will siphon these cases from the Columbia office, provide better service to the clients and courts in Southwest Missouri while reducing travel costs and freeing up time for the Columbia Central PCR attorneys to better handle the workload in the remainder of Missouri’s outstate counties.</p> |                                     |             |                |

| NEW DECISION ITEM  |                           |                           |  |                            |                        |                              |                          |                              |                          |
|--|---------------------------|---------------------------|--|----------------------------|------------------------|------------------------------|--------------------------|------------------------------|--------------------------|
| RANK: <u>2</u>   |                           | OF <u>6</u>               |  |                            |                        |                              |                          |                              |                          |
| Department: Office of the State Public Defender  |                           |                           | Budget Unit <u>15111C</u>  |                            |                        |                              |                          |                              |                          |
| Division: Legal Services   |                           |                           | DI Name: Springfield Appellate Office DI# '1151005 HB Section 12.400 |                            |                        |                              |                          |                              |                          |
| 5. BREAK DOWN THE REQUEST BY BUDGET OBJECT CLASS, JOB CLASS, AND FUND SOURCE. IDENTIFY ONE-TIME COSTS. |                           |                           |  |                            |                        |                              |                          |                              |                          |
| Budget Object Class/Job Class  |                           | Dept Req<br>GR<br>DOLLARS | Dept Req<br>GR<br>FTE  | Dept Req<br>FED<br>DOLLARS | Dept Req<br>FED<br>FTE | Dept Req<br>OTHER<br>DOLLARS | Dept Req<br>OTHER<br>FTE | Dept Req<br>TOTAL<br>DOLLARS | Dept Req<br>TOTAL<br>FTE |
|  |                           |                           |  |                            |                        |                              |                          | One-Time<br>DOLLARS          | E                        |
| C00200   | Secretary                 | 57,336                    | 2.0  |                            |                        |                              |                          | 57,336                       |                          |
| C00300   | Investigator              | 31,608                    | 1.0  |                            |                        |                              |                          | 31,608                       |                          |
| C00400   | Assistant Public Defender | 300,420                   | 5.0  |                            |                        |                              |                          | 300,420                      |                          |
| C00460   | District Defender         | 86,429                    | 1.0  |                            |                        |                              |                          | 86,429                       |                          |
|  |                           |                           |  |                            |                        |                              |                          | 0                            | 0.0                      |
| Total PS   |                           | 475,793                   | 9.0  | 0                          | 0.0                    | 0                            | 0.0                      | 475,793                      | 0.0                      |
|  |                           |                           |  |                            |                        |                              |                          | 0                            |                          |
| Travel / 140   |                           | 19,200                    |  |                            |                        |                              |                          | 19,200                       |                          |
| Supplies / 190   |                           | 5,400                     |  |                            |                        |                              |                          | 5,400                        |                          |
| Rent / 680   |                           | 61,250                    |  |                            |                        |                              |                          | 61,250                       |                          |
| Phones & Network Costs / 340   |                           | 6,390                     |  |                            |                        |                              |                          | 6,390                        |                          |
| Professional Costs / 400   |                           | 7,500                     |  |                            |                        |                              |                          | 7,500                        |                          |
|  |                           |                           |  |                            |                        |                              |                          | 0                            |                          |
|  |                           |                           |  |                            |                        |                              |                          | 0                            |                          |
| Total EE   |                           | 99,740                    |  | 0                          |                        | 0                            |                          | 99,740                       | 0                        |
|  |                           |                           |  |                            |                        |                              |                          |                              |                          |
| Program Distributions  |                           |                           |  |                            |                        |                              |                          | 0                            |                          |
| Total PSD  |                           | 0                         |  | 0                          |                        | 0                            |                          | 0                            | 0                        |
|  |                           |                           |  |                            |                        |                              |                          |                              |                          |
| Transfers  |                           |                           |  |                            |                        |                              |                          |                              |                          |
| Total TRF  |                           | 0                         |  | 0                          |                        | 0                            |                          | 0                            | 0                        |
|  |                           |                           |  |                            |                        |                              |                          |                              |                          |
| Grand Total  |                           | 575,533                   | 9.0  | 0                          | 0.0                    | 0                            | 0.0                      | 575,533                      | 0.0                      |
|  |                           |                           |  |                            |                        |                              |                          |                              |                          |

| NEW DECISION ITEM                               |                          |                      |                           |                       |                             |                         |                             |                         |                                  |
|---|--------------------------|----------------------|---------------------------|-----------------------|-----------------------------|-------------------------|-----------------------------|-------------------------|----------------------------------|
|   |                          | RANK: <u>2</u>       |                           | OF <u>6</u>           |                             |                         |                             |                         |                                  |
| Department: Office of the State Public Defender |                          |                      | Budget Unit               |                       | 15111C                      |                         |                             |                         |                                  |
| Division: Legal Services                        |                          |                      |                           |                       |                             |                         |                             |                         |                                  |
| DI Name: Springfield Appellate Office           |                          |                      | DI# '1151005              |                       | HB Section                  |                         | 12.400                      |                         |                                  |
| Budget Object Class/Job Class                   | Gov Rec<br>GR<br>DOLLARS | Gov Rec<br>GR<br>FTE | Gov Rec<br>FED<br>DOLLARS | Gov Rec<br>FED<br>FTE | Gov Rec<br>OTHER<br>DOLLARS | Gov Rec<br>OTHER<br>FTE | Gov Rec<br>TOTAL<br>DOLLARS | Gov Rec<br>TOTAL<br>FTE | Gov Rec<br>One-Time<br>DOLLARS E |
| C00200 Secretary                                | 0                        | 0.0                  |                           |                       |                             |                         | 0                           |                         | 0                                |
| C00300 Investigator                             | 0                        | 0.0                  |                           |                       |                             |                         | 0                           |                         | 0                                |
| C00400 Assistant Public Defender                | 0                        | 0.0                  |                           |                       |                             |                         | 0                           |                         | 0                                |
| C00460 District Defender                        | 0                        | 0.0                  |                           |                       |                             |                         | 0                           |                         | 0.0                              |
| Total PS  | 0                        | 0.0                  | 0                         | 0.0                   | 0                           | 0.0                     | 0                           | 0.0                     | 0                                |
| Travel / 140                                    | 0                        |                      |                           |                       |                             |                         | 0                           |                         | 0                                |
| Supplies / 190                                  | 0                        |                      |                           |                       |                             |                         | 0                           |                         | 0                                |
| Rent / 680                                      | 0                        |                      |                           |                       |                             |                         | 0                           |                         | 0                                |
| Phones & Network Costs / 340                    | 0                        |                      |                           |                       |                             |                         | 0                           |                         | 0                                |
| Professional Costs / 400                        | 0                        |                      |                           |                       |                             |                         | 0                           |                         | 0                                |
| Total EE  | 0                        |                      | 0                         |                       | 0                           |                         | 0                           |                         | 0                                |
| Program Distributions                           |                          |                      |                           |                       |                             |                         | 0                           |                         |                                  |
| Total PSD                                       | 0                        |                      | 0                         |                       | 0                           |                         | 0                           |                         | 0                                |
| Transfers                                       |                          |                      |                           |                       |                             |                         |                             |                         |                                  |
| Total TRF                                       | 0                        |                      | 0                         |                       | 0                           |                         | 0                           |                         | 0                                |
| Grand Total                                     | 0                        | 0.0                  | 0                         | 0.0                   | 0                           | 0.0                     | 0                           | 0.0                     | 0                                |
|   |                          |                      |                           |                       |                             |                         | 0                           | 0.0                     |                                  |

## Current PCR County Assignments



## **Post Conviction Relief - Trials (Circuit Court Level)**

Central PCR

District 67

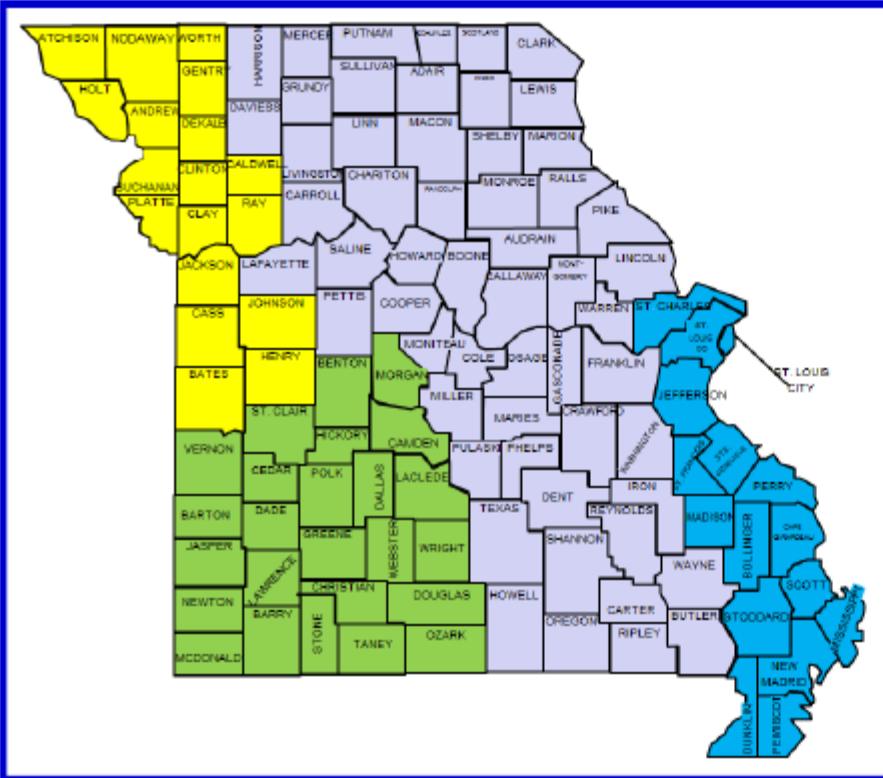
Eastern Appellate/PCR

Districts 51 & 68

Western Appellate/PCR

Districts 52 & 69

## Proposed PCR County Assignments



### Post Conviction Relief - Trials (Circuit Court Level)

- Central PCR  
District 67
- Eastern Appellate/PCR  
Districts 51 & 68
- Western Appellate/PCR  
Districts 52 & 69
- Proposed PCR Office  
District 66



**Missouri State Public Defender  
SPRINGFIELD APPELLATE OFFICE**

| <u>Job Titles</u>                     | <u>FTE</u> | <u>Salary</u> | <u>Cost</u> |
|---------------------------------------|------------|---------------|-------------|
| District Defender                     | 1.00       | \$86,429      | \$86,429    |
| Assistant Public Defenders III        | 5.00       | \$60,084      | \$300,420   |
| Legal Assistant                       | 1.00       | \$28,668      | \$28,668    |
| Investigator                          | 1.00       | \$31,608      | \$31,608    |
| Secretary                             | 1.00       | \$28,668      | \$28,668    |
| TOTAL PERSONAL SERVICE                | 9.00       |               | \$475,793   |
|                                       |            |               |             |
| Travel - \$200/ mo * 12 * 8 = Mileage |            |               | \$19,200    |
| Supplies                              |            |               | \$3,000     |
| Professional                          |            |               | \$7,500     |
| Telephone \$90 * 11.50                |            |               | \$990       |
| Network Costs \$450 * 12 months       |            |               | \$5,400     |
| Postage \$300 * 12 months             |            |               | \$2,400     |
| Building Costs                        |            |               | \$61,250    |
| TOTAL EXPENSE & EQUIPMENT             |            |               | \$99,740    |
| TOTAL COST                            |            |               | \$575,533   |

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM DETAIL**

| Budget Unit<br>Decision Item<br>Budget Object Class | FY 2018<br>ACTUAL<br>DOLLAR | FY 2018<br>ACTUAL<br>FTE | FY 2019<br>BUDGET<br>DOLLAR | FY 2019<br>BUDGET<br>FTE | FY 2020<br>DEPT REQ<br>DOLLAR | FY 2020<br>DEPT REQ<br>FTE | FY 2020<br>GOV REC<br>DOLLAR | FY 2020<br>GOV REC<br>FTE |
|---|-----------------------------|--------------------------|-----------------------------|--------------------------|-------------------------------|----------------------------|------------------------------|---------------------------|
| <b>OFFICE OF THE DIRECTOR</b>                       |                             |                          |                             |                          |                               |                            |                              |                           |
| Springfield Appellate Office - 1151004              |                             |                          |                             |                          |                               |                            |                              |                           |
| SECRETARY   | 0                           | 0.00                     | 0                           | 0.00                     | 57,336                        | 2.00                       | 0                            | 0.00                      |
| INVESTIGATOR  | 0                           | 0.00                     | 0                           | 0.00                     | 31,608                        | 1.00                       | 0                            | 0.00                      |
| ASSISTANT PUBLIC DEFENDER                           | 0                           | 0.00                     | 0                           | 0.00                     | 300,420                       | 5.00                       | 0                            | 0.00                      |
| DISTRICT DEFENDER                                   | 0                           | 0.00                     | 0                           | 0.00                     | 86,429                        | 1.00                       | 0                            | 0.00                      |
| <b>TOTAL - PS</b>                                   | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>475,793</b>                | <b>9.00</b>                | <b>0</b>                     | <b>0.00</b>               |
| TRAVEL, IN-STATE                                    | 0                           | 0.00                     | 0                           | 0.00                     | 19,200                        | 0.00                       | 0                            | 0.00                      |
| SUPPLIES  | 0                           | 0.00                     | 0                           | 0.00                     | 5,400                         | 0.00                       | 0                            | 0.00                      |
| COMMUNICATION SERV & SUPP                           | 0                           | 0.00                     | 0                           | 0.00                     | 6,390                         | 0.00                       | 0                            | 0.00                      |
| PROFESSIONAL SERVICES                               | 0                           | 0.00                     | 0                           | 0.00                     | 7,500                         | 0.00                       | 0                            | 0.00                      |
| BUILDING LEASE PAYMENTS                             | 0                           | 0.00                     | 0                           | 0.00                     | 61,250                        | 0.00                       | 0                            | 0.00                      |
| <b>TOTAL - EE</b>                                   | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>99,740</b>                 | <b>0.00</b>                | <b>0</b>                     | <b>0.00</b>               |
| <b>GRAND TOTAL</b>                                  | <b>\$0</b>                  | <b>0.00</b>              | <b>\$0</b>                  | <b>0.00</b>              | <b>\$575,533</b>              | <b>9.00</b>                | <b>\$0</b>                   | <b>0.00</b>               |
| GENERAL REVENUE                                     | \$0                         | 0.00                     | \$0                         | 0.00                     | \$575,533                     | 9.00                       |                              | 0.00                      |
| FEDERAL FUNDS                                       | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       |                              | 0.00                      |
| OTHER FUNDS   | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       |                              | 0.00                      |

## NEW DECISION ITEM

RANK: 6 OF 8

Department: Office of the State Public Defender

Budget Unit 15111C

Division: Legal Services

DI Name: Office Space Requirements

DI# '1151006

HB Section 12.400

## 1. AMOUNT OF REQUEST

|              | FY 2020 Budget Request |          |          |                  |   |
|--------------|------------------------|----------|----------|------------------|---|
|              | GR                     | Federal  | Other    | Total            | E |
| PS           | 0                      | 0        | 0        | 0                |   |
| EE           | 2,576,382              | 0        | 0        | 2,576,382        |   |
| PSD          | 0                      | 0        | 0        | 0                |   |
| TRF          | 0                      | 0        | 0        | 0                |   |
| <b>Total</b> | <b>2,576,382</b>       | <b>0</b> | <b>0</b> | <b>2,576,382</b> |   |

FTE 0.00 0.00 0.00 0.00**Est. Fringe** 0 0 0 0

Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Other Funds:

## 2. THIS REQUEST CAN BE CATEGORIZED AS:

|                 |                   |                       |
|-----------------|-------------------|-----------------------|
| New Legislation | New Program       | Fund Switch           |
| Federal Mandate | Program Expansion | Cost to Continue      |
| GR Pick-Up      | X Space Request   | Equipment Replacement |
| Pay Plan        | Other:            |                       |

| NEW DECISION ITEM   |                           |
|---|---------------------------|
| RANK: <u>6</u>  | OF <u>8</u>               |
| <b>Department:</b> Office of the State Public Defender  | <b>Budget Unit</b> 15111C |
| <b>Division:</b> Legal Services   |                           |
| <b>DI Name:</b> Office Space Requirements   | <b>DI#</b> '1151006       |
|   | <b>HB Section</b> 12.400  |
| <b>3. WHY IS THIS FUNDING NEEDED? PROVIDE AN EXPLANATION FOR ITEMS CHECKED IN #2. INCLUDE THE FEDERAL OR STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS PROGRAM.</b>  |                           |
| <p>When the Missouri State Public Defender System was established, the burden and expense of office space and utility services for local public defender offices was placed on the counties served by that office. That burden remains today in the form of RSMo. 600.040.1 which reads:</p> <p>"The city or county shall provide office space and utility services, other than telephone service, for the circuit or regional public defender and his personnel. If there is more than one county in a circuit or region, each county shall contribute, on the basis of population, its pro rata share of the costs of office space and utility services, other than telephone service. The state shall pay, within the limits of the appropriation therefore, all other expenses and costs of the state public defender system authorized under this chapter."</p> <p>Not only do some county governments object to and resent being required to pay for office space for a Department of State Government, but TAFP SS for SCS for HCS for HB 215 requires that by December 31, 2018 the Public Defender district office representation boundaries coincide with existing Judicial Circuits boundaries. This effort could result in the cancellation/consolidation of existing leases held by the counties currently being provided representation from an existing office. This task is nearly impossible because MSPD is not in control of the county budgets or in control of the leases the counties have previously signed. If the responsibility for Public Defender office space rested with the Public Defenders (MSPD), then we could move toward meeting this newly imposed statutory requirement.</p> |                           |
| <p><b>HISTORY OF CHALLENGES</b></p> <p>When the Missouri State Public Defender System was first established and RSMo. 600.040.1 was first enacted, public defender services in most rural areas of the state were provided through private attorneys who had contracted with Missouri's Public Defender System to provide such services. Since these private contract counsel provided services from their private offices, county governments did not have to provide office space and utilities. In reality though, the State did pay through the established contract rate.</p> <p>In 1997, the legislature responded to the refusal of some counties to provide or pay for Public Defender office space. Language was added to House Bill 5, allowing for the interception of prisoner per diem payments to counties failing to meet their obligations under 600.040. The state has intercepted some money intended for counties that scoffed at their obligation, however, the interceptions and threat of interceptions have put great strain on state-county relations. MSPD tried to invoke this at one point in the past, but was asked by the then gubernatorial administration to forego the remedy because of the hostility being caused between the state and the counties as a result of the intercept.</p>   |                           |

| <b>NEW DECISION ITEM</b> |  |                    |                 |
|--------------------------|--|--------------------|-----------------|
| <b>RANK:</b>             | <u>6</u>                                   | <b>OF</b>          | <u>8</u>        |
| <b>Department:</b>       | <u>Office of the State Public Defender</u> | <b>Budget Unit</b> | <u>15111C</u>   |
| <b>Division:</b>         | <u>Legal Services</u>                      |                    |                 |
| <b>DI Name:</b>          | <u>Office Space Requirements</u>           | <b>DI#</b>         | <u>'1151006</u> |
|                          |  | <b>HB Section</b>  | <u>12.400</u>   |

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In 1999, the legislature once again addressed the problem of providing Public Defender office space. A new section, RSMo. 600.101, was added which allows disputes between counties and the State Public Defender to be submitted to the Judicial Finance Commission (RSMo. 477.600). Section 600.101 also calls for a study and report from the Judicial Resources Commission to be prepared for the chairs of the House and Senate Judiciary Committees, Senate Appropriations Committee, and House Budget Committee. This year, the Missouri State Public Defender System and the counties of Public Defender Area 36, Butler, Carter, Ripley and Wayne found it necessary to take a dispute to this commission.

Today, some county governments provide public defender office space in county courthouses or other county owned facilities, some counties rent office space and pay their pro rata share of that rent as required by statute. Some counties, strapped for office space for their own county officials, provide woefully inadequate privately owned space.

Disputes have not only concerned whether or not office space will be provided at all, they have included where and what space will be provided. Either because of economic necessity or in passive resistance to their obligation, some counties house the Public Defender in inadequate facilities. Public Defenders have endured the indignities of insect infestation, lack of privacy, leaky roofs, cramped quarters, and black mold to name a few.

Some counties simply have no interest in the adequacy of the Public Defender facilities, especially when they don't want to provide space at all. Most of our offices serve multiple counties. It is a logistical nightmare to get multiple commissioners in multiple counties to sign off on every change to a lease involving one of our offices (including no less than 33 commissioners in our Chillicothe office, which covers 11 counties!) A number of counties refuse to provide or pay for additional space to accommodate growing defender staff, a problem that will multiply if additional staffing is forthcoming in this legislative session. While MSPD has not recently received significant additional staffing, we do move positions among offices based upon growing / dropping caseload.

**SOME OF THE CHALLENGES CURRENTLY BEING FACED ARE:**

- Attorneys doubled up in offices, making a confidential client meeting impossible;
- Attorneys setting up an office in the telephone /computer server closet, as well as taking over all public space in the office – break room, conference room, library – so that these generally standard areas in a law office are no longer available anywhere within in the office;
- Having to install locks on all filing cabinets and moving them into a public hallway to free up space for staff to squeeze in another desk;
- Receiving an eviction notice because six counties refused to pay, between them, a total increase of \$48.67 per month imposed by the landlord. To prevent the eviction, MSPD agreed to pay the difference. This office has now been relocated and the counties are paying their pro-rata shares.
- Counties fighting with MSPD and among themselves when more than one county covered by an office has available 'free' county space and doesn't want to contribute cash to another county instead. These disputes have escalated to lawsuits between counties on at least once.

| NEW DECISION ITEM   |                                  |
|---|----------------------------------|
| RANK: <u>6</u>  | OF <u>8</u>                      |
| <b>Department:</b> <u>Office of the State Public Defender</u>   | <b>Budget Unit</b> <u>15111C</u> |
| <b>Division:</b> <u>Legal Services</u>  |                                  |
| <b>DI Name:</b> <u>Office Space Requirements</u>  | <b>DI#</b> <u>'1151006</u>       |
|   | <b>HB Section</b> <u>12.400</u>  |
| <ul style="list-style-type: none"> <li>The State Public Defender Commission is interested in locating offices in multi-county Districts where they will be the most effective and efficient use of state resources. Counties do not share that interest, preferring the office to be located where it will cost the least and have the most positive economic impact on their local economy, efficiency and the desires of other counties and the State Public Defender notwithstanding.</li> <li>Some counties providing space that is in very poor shape and unfit for a law office. We have been placed in office space where the ceiling tiles were crumbling onto the attorneys' desks, in offices with severe mold conditions, asbestos, cockroaches, termite and spider infestations. Such unsuitable and difficult working conditions undoubtedly contribute to our turnover, as well as to reduced productivity, yet MSPD's hands are tied.</li> </ul> <p>The State Public Defender is not seeking fancy, luxurious offices. Its interest is to have facilities adequate to ensure efficient, effective use of personnel and other resources appropriated to the Department.</p> <p>In summary, the current statutory scheme requires counties to cooperate with each other, and with this Department, to provide office space for a Department of State Government. It is a formula for conflict between the State Public Defender and counties, as well as between counties of multi-county districts. The problem is sure to get worse in the future. Under the current statute, Missouri's Public Defender Commission is unable to establish and/or expand offices as needed or where needed as caseload varies from year to year.</p> <p>Local public defender office space varies greatly from office to office, depending upon the ability and/or willingness of local county governments to provide office space. Some public defender offices have adequate space, which greatly enhances their efficiency. Other offices have completely inadequate space and their ability to effectively and efficiently accomplish their mission is greatly reduced. Under the current statute, the Public Defender administration can do little to ensure the adequacy and uniformity of office space in local public defender offices.</p> <p>A change in the legislation, specifically repealing portions of RSMo. 600.040.1, is recommended. Although probably adequate at the time the public defender system was first organized, this Department has grown far beyond its beginnings and the original intent of RSMo. 600.040.1.</p> <p>The legislature, judiciary and public demand a swift, efficient administration of justice. In order to meet that demand, the Missouri Public Defender System needs adequate, efficient physical plants in all its offices. This need is simply not being met under the current statutory scheme.</p> |                                  |

## NEW DECISION ITEM

RANK: 6 OF 8

Department: Office of the State Public Defender      Budget Unit 15111C  
 Division: Legal Services  
 DI Name: Office Space Requirements      DI# '1151006      HB Section 12.400

**4. DESCRIBE THE DETAILED ASSUMPTIONS USED TO DERIVE THE SPECIFIC REQUESTED AMOUNT. (How did you determine that the requested number of FTE were appropriate? From what source or standard did you derive the requested levels of funding? Were alternatives such as outsourcing or automation considered? If based on new legislation, does request tie to TAFP fiscal note? If not, explain why. Detail which portions of the request are one-times and how those amounts were calculated.)**

See Chart on the Following Page

**5. BREAK DOWN THE REQUEST BY BUDGET OBJECT CLASS, JOB CLASS, AND FUND SOURCE. IDENTIFY ONE-TIME COSTS.**

| Budget Object Class/Job Class   | Dept Req<br>GR<br>DOLLARS | Dept Req<br>GR<br>FTE | Dept Req<br>FED<br>DOLLARS | Dept Req<br>FED<br>FTE | Dept Req<br>OTHER<br>DOLLARS | Dept Req<br>OTHER<br>FTE | Dept Req<br>TOTAL<br>DOLLARS | Dept Req<br>TOTAL<br>FTE | Dept Req<br>One-Time<br>DOLLARS | Dept Req<br>E |
|---------------------------------|---------------------------|-----------------------|----------------------------|------------------------|------------------------------|--------------------------|------------------------------|--------------------------|---------------------------------|---------------|
| Total PS                        | 0                         | 0.0                   | 0                          | 0.0                    | 0                            | 0.0                      | 0                            | 0                        | 0.0                             | 0             |
| Rent/680                        | 2,308,036                 |                       |                            |                        |                              |                          | 2,308,036                    |                          |                                 |               |
| Fuel & Utilities/ 180           | 82,800                    |                       |                            |                        |                              |                          | 82,800                       |                          |                                 |               |
| Housekeeping & Janitor Services | 185,546                   |                       |                            |                        |                              |                          | 185,546                      |                          |                                 |               |
| Total EE                        | 2,576,382                 |                       | 0                          |                        | 0                            |                          | 2,576,382                    |                          |                                 | 0             |
| Program Distributions           |                           |                       |                            |                        |                              |                          | 0                            |                          |                                 |               |
| Total PSD                       | 0                         |                       | 0                          |                        | 0                            |                          | 0                            |                          |                                 | 0             |
| Transfers                       |                           |                       |                            |                        |                              |                          |                              |                          |                                 |               |
| Total TRF                       | 0                         |                       | 0                          |                        | 0                            |                          | 0                            |                          |                                 | 0             |
| <b>Grand Total</b>              | <b>2,576,382</b>          | <b>0.0</b>            | <b>0</b>                   | <b>0.0</b>             | <b>0</b>                     | <b>0.0</b>               | <b>2,576,382</b>             | <b>0.0</b>               | <b>0</b>                        |               |

| NEW DECISION ITEM                               |                          |                      |                           |                          |                             |                         |                             |                         |                                |
|---|--------------------------|----------------------|---------------------------|--------------------------|-----------------------------|-------------------------|-----------------------------|-------------------------|--------------------------------|
| RANK: <u>6</u>                                  |                          | OF <u>8</u>          |                           |                          |                             |                         |                             |                         |                                |
| Department: Office of the State Public Defender |                          |                      | Budget Unit <u>15111C</u> |                          |                             |                         |                             |                         |                                |
| Division: Legal Services                        |                          |                      |                           |                          |                             |                         |                             |                         |                                |
| DI Name: Office Space Requirements              |                          | DI# <u>'1151006</u>  |                           | HB Section <u>12.400</u> |                             |                         |                             |                         |                                |
| Budget Object Class/Job Class                   | Gov Rec<br>GR<br>DOLLARS | Gov Rec<br>GR<br>FTE | Gov Rec<br>FED<br>DOLLARS | Gov Rec<br>FED<br>FTE    | Gov Rec<br>OTHER<br>DOLLARS | Gov Rec<br>OTHER<br>FTE | Gov Rec<br>TOTAL<br>DOLLARS | Gov Rec<br>TOTAL<br>FTE | Gov Rec<br>One-Time<br>DOLLARS |
| Total PS  | 0                        | 0.0                  | 0                         | 0.0                      | 0                           | 0.0                     | 0                           | 0.0                     | 0                              |
| Rent/680  | 0                        |                      |                           |                          |                             |                         | 0                           |                         |                                |
| Fuel & Utilities/ 180                           | 0                        |                      |                           |                          |                             |                         | 0                           |                         |                                |
| Housekeeping & Janitor Services                 | 0                        |                      |                           |                          |                             |                         | 0                           |                         |                                |
| Total EE  | 0                        |                      | 0                         |                          | 0                           |                         | 0                           |                         | 0                              |
| Program Distributions                           |                          |                      |                           |                          |                             |                         | 0                           |                         |                                |
| Total PSD                                       | 0                        |                      | 0                         |                          | 0                           |                         | 0                           |                         | 0                              |
| Transfers                                       |                          |                      |                           |                          |                             |                         |                             |                         |                                |
| Total TRF                                       | 0                        |                      | 0                         |                          | 0                           |                         | 0                           |                         | 0                              |
| <b>Grand Total</b>                              | <b>0</b>                 | <b>0.0</b>           | <b>0</b>                  | <b>0.0</b>               | <b>0</b>                    | <b>0.0</b>              | <b>0</b>                    | <b>0.0</b>              | <b>0</b>                       |

## Cost of Renting Office Space for All Local Public Defender Offices

**Revised September 4, 2018**

PS = Privately Owned Space - CO = County Owned Space - SW = Statewide Office

| Office                 |    | Est.<br>Sq. Ft                                | Total<br>Rent | Estimated<br>Utilities | Janitor/<br>Trash | Total<br>Cost | Comment  |
|------------------------|----|---|---------------|------------------------|-------------------|---------------|--|
| Kirksville             | PS | 2,060   | \$18,000      | Inclusive              | \$1,800           | \$19,800      | Counties Lease - Expires 05/31/2020                  |
| Maryville              | PS | 2,060   | \$12,301      | Inclusive              | \$1,800           | \$14,101      | Counties Lease - Expires 07/31/2020                  |
| St. Joseph             | PS | 5,400   | \$39,600      | Inclusive              | County            | \$39,600      | County Lease - Expires 06/15/2020                    |
| Liberty                | CO | 6,500   | \$117,000     |                        | County            | \$117,000     | In County Owned Space (\$18.00 per sq ft)            |
| Hannibal               | PS | 2,625   | \$30,284      | Inclusive              | \$2,700           | \$32,984      | Counties Lease - Expires 12/31/2018                  |
| St. Charles            | CO | 4,040   | \$72,720      |                        | County            | \$72,720      | In Courthouse (\$18 per sq ft)                       |
| Fulton                 | CO | 3,500   | \$49,000      |                        | \$3,000           | \$52,000      | In County Owned Space (\$14 per sq ft)               |
| Columbia               | CO | 6,085   | \$109,530     |                        | \$7,800           | \$117,330     | In County Owned Space (\$18 Per sq ft)               |
| Moberly                | PS | 2,900   | \$30,000      | Inclusive              | \$1,800           | \$31,800      | Counties Lease - Expired 12/31/2017                  |
| Sedalia                | PS | 3,675   | \$25,800      | Inclusive              | \$5,040           | \$30,840      | Counties Lease - Expires 11/30/2025                  |
| Kansas City            | PS | 18,185  | \$204,581     | Inclusive              | Inclusive         | \$204,581     | County Lease - Lease Expires 07/31/2019              |
| Harrisonville          | PS | 4,500   | \$66,915      |                        | \$3,600           | \$70,515      | Counties Lease - Expired 08/31/2017                  |
| Jefferson City         | CO | 4,200   | \$63,000      |                        | County            | \$63,000      | In County Owned Space (\$15 per sq ft)               |
| Union                  | CO | 3,225   | \$45,150      | Inclusive              | \$1,920           | \$47,070      | In County Owned Space (\$14 per sq ft)               |
| St. Louis County       | CO | 9,000   | \$189,000     | Inclusive              | County            | \$189,000     | In Courthouse (\$21 per sq ft)                       |
| St. Louis City         | CO | 13,000  | \$273,000     | Inclusive              | \$25,000          | \$298,000     | In Carnahan Courthouse (\$21 per sq ft)              |
| Hillsboro              | PS | 2,800   | \$35,400      | \$0                    | County            | \$35,400      | County Lease - Lease Expires 07/31/2020              |
| Farmington             | CO | 5,000   | \$70,000      |                        | \$6,750           | \$76,750      | In County Owned Space (\$14 per sq ft)               |
| Rolla                  | PS | 7,084   | \$36,000      |                        | \$5,400           | \$41,400      | Counties Lease - Expired 01/31/2018                  |
| Lebanon                | PS | 4,100   | \$28,800      | \$7,200                | \$2,880           | \$38,880      | Counties Lease - Expires 12/31/2018                  |
| Nevada                 | PS | 3,000   | \$24,300      | Inclusive              | \$2,000           | \$26,300      | Counties Lease - Expires 12/31/2021                  |
| Carthage               | CO | 7,000   | \$105,000     |                        | County            | \$105,000     | In County Owned Space -Inadequate (\$15 sq ft)       |
| Bolivar                | PS | 3,500   | \$18,600      | \$4,650                | \$3,600           | \$26,850      | Counties Lease-Expired 06/30/2018                    |
| Springfield            | PS | 8,728   | \$129,528     | Inclusive              | \$9,000           | \$138,528     | Counties Lease - Expires 06/30/2019                  |
| Jackson                | CO | 6,000   | \$90,000      |                        | \$3,600           | \$93,600      | In County Owned Space (\$15 per sq ft)               |
| Portageville           | PS | 3,500   | \$16,800      | Inclusive              | \$1,800           | \$18,600      | Counties Lease - Expires 07/31/2023                  |
| Kennett                | CO | 4,000   | \$56,000      | \$14,000               | \$1,800           | \$71,800      | In County Rented Space - Unknown amount (\$14 sq ft) |
| Poplar Bluff           | PS | 5,500   | \$24,750      | \$12,000               | \$6,000           | \$42,750      | Counties Lease - Expires 12/31/2026                  |
| West Plains            | PS | 3,500   | \$49,000      | Inclusive              | \$1,800           | \$50,800      | Counties Lease - Expired - 12/31/16                  |
| Monett                 | PS | 4,600   | \$16,800      | \$4,200                | \$2,400           | \$23,400      | Counties Lease - Expires 09/30/19                    |
| Chillicothe            | PS | 4,500   | \$30,000      | Inclusive              | \$2,400           | \$32,400      | Counties Lease - Expired 12/31/2017                  |
| Ava                    | PS | 4,560   | \$20,737      |                        | \$4,500           | \$25,237      | Counties Lease - Expired 05/31/2015                  |
| Troy                   | CO | 3,500   | \$52,500      | \$7,500                | County            | \$60,000      | In County Owned Space (\$15 per sq ft)               |
| JC Director's Office   | SW | 1,076   | \$20,340      | \$3,250                | \$0               | \$23,590      | State Public Defender Pays - Expired 04/30/2018      |
| Columbia Defenderplex  | SW | 22,450  | \$335,000     | \$30,000               | \$16,656          | \$381,656     | State Public Defender Pays - Expires 05/31/2022      |
| St. Louis Defenderplex | SW | 15,959  | \$299,758     | Inclusive              | Inclusive         | \$299,758     | State Public Defender Pays - Expires 07/31/2026      |
| KC Defenderplex        | SW | 10,858  | \$179,375     | Inclusive              | Inclusive         | \$179,375     | State Public Defender Pays - Expires 10/31/2026      |
|                        |    |   |               |                        |                   |               |  |
|                        |    | 222,170                                       | \$2,984,569   | \$82,800               | \$125,046         | \$3,192,415   |  |
|                        |    | Less: Current Agency Payments                 |               |                        |                   | -\$676,533    |  |
|                        |    | Plus Janitor/Trash where County is Now Paying |               |                        |                   | \$60,500      |  |
|                        |    | Total Implementation Costs                    |               |                        |                   | \$2,576,382   |  |

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM DETAIL**

| Budget Unit                                | FY 2018    | FY 2018     | FY 2019    | FY 2019     | FY 2020            | FY 2020     | FY 2020    | FY 2020     |
|--|------------|-------------|------------|-------------|--------------------|-------------|------------|-------------|
| Decision Item                              | ACTUAL     | ACTUAL      | BUDGET     | BUDGET      | DEPT REQ           | DEPT REQ    | GOV REC    | GOV REC     |
| Budget Object Class                        | DOLLAR     | FTE         | DOLLAR     | FTE         | DOLLAR             | FTE         | DOLLAR     | FTE         |
| <b>OFFICE OF THE DIRECTOR</b>              |            |             |            |             |                    |             |            |             |
| <b>Office Space Requirements - 1151005</b> |            |             |            |             |                    |             |            |             |
| FUEL & UTILITIES                           | 0          | 0.00        | 0          | 0.00        | 82,800             | 0.00        | 0          | 0.00        |
| HOUSEKEEPING & JANITORIAL SERV             | 0          | 0.00        | 0          | 0.00        | 185,546            | 0.00        | 0          | 0.00        |
| BUILDING LEASE PAYMENTS                    | 0          | 0.00        | 0          | 0.00        | 2,308,036          | 0.00        | 0          | 0.00        |
| <b>TOTAL - EE</b>                          | <b>0</b>   | <b>0.00</b> | <b>0</b>   | <b>0.00</b> | <b>2,576,382</b>   | <b>0.00</b> | <b>0</b>   | <b>0.00</b> |
| <b>GRAND TOTAL</b>                         | <b>\$0</b> | <b>0.00</b> | <b>\$0</b> | <b>0.00</b> | <b>\$2,576,382</b> | <b>0.00</b> | <b>\$0</b> | <b>0.00</b> |
| GENERAL REVENUE                            | \$0        | 0.00        | \$0        | 0.00        | \$2,576,382        | 0.00        |            | 0.00        |
| FEDERAL FUNDS                              | \$0        | 0.00        | \$0        | 0.00        | \$0                | 0.00        |            | 0.00        |
| OTHER FUNDS                                | \$0        | 0.00        | \$0        | 0.00        | \$0                | 0.00        |            | 0.00        |

| NEW DECISION ITEM   |                   |             |  |                   |                                   |   |                        |             |             |             |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |
|---|-------------------|-------------|--|-------------------|-----------------------------------|---|------------------------|-------------|-------------|-------------|--|-----------------------------------|--|--|--|----|---------|-------|-------|---|----|---------|-------|-------|---|----|------------|---|---|------------|--|----|---|---|---|---|----|-----------|---|---|-----------|--|----|---|---|---|---|-----|---|---|---|---|--|-----|---|---|---|---|-----|---|---|---|---|--|-----|---|---|---|---|--------------|-------------------|----------|----------|-------------------|--|--------------|----------|----------|----------|----------|------------|---------------|-------------|-------------|-------------|--|------------|-------------|-------------|-------------|-------------|--------------------|-------------------|----------|----------|-------------------|--|--------------------|----------|----------|----------|----------|
| RANK: <u>7</u>  |                   |             | OF <u>6</u>  |                   |                                   |   |                        |             |             |             |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |
| Department: Office of the State Public Defender   |                   |             | Budget Unit <u>15111C</u>  |                   |                                   |   |                        |             |             |             |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |
| Division: Legal Services  |                   |             |  |                   |                                   |   |                        |             |             |             |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |
| DI Name: Constitutionally Mandated Representation - DI# 1151007   |                   |             | HB Section <u>12.400</u>   |                   |                                   |   |                        |             |             |             |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |
| <b>1. AMOUNT OF REQUEST</b>   |                   |             |  |                   |                                   |   |                        |             |             |             |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |
| <table border="1"> <thead> <tr> <th colspan="5">FY 2020 Budget Request</th> <th colspan="3">FY 2020 Governor's Recommendation</th> </tr> <tr> <th></th> <th>GR</th> <th>Federal</th> <th>Other</th> <th>Total</th> <th>E</th> <th>GR</th> <th>Federal</th> <th>Other</th> <th>Total</th> <th>E</th> </tr> </thead> <tbody> <tr> <td>PS</td> <td>20,116,404</td> <td>0</td> <td>0</td> <td>20,116,404</td> <td></td> <td>PS</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>EE</td> <td>3,467,855</td> <td>0</td> <td>0</td> <td>3,467,855</td> <td></td> <td>EE</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>PSD</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td></td> <td>PSD</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>TRF</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td></td> <td>TRF</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td><b>Total</b></td> <td><b>23,584,259</b></td> <td><b>0</b></td> <td><b>0</b></td> <td><b>23,584,259</b></td> <td></td> <td><b>Total</b></td> <td><b>0</b></td> <td><b>0</b></td> <td><b>0</b></td> <td><b>0</b></td> </tr> <tr> <td><b>FTE</b></td> <td><b>385.00</b></td> <td><b>0.00</b></td> <td><b>0.00</b></td> <td><b>0.00</b></td> <td></td> <td><b>FTE</b></td> <td><b>0.00</b></td> <td><b>0.00</b></td> <td><b>0.00</b></td> <td><b>0.00</b></td> </tr> <tr> <td><b>Est. Fringe</b></td> <td><b>10,985,088</b></td> <td><b>0</b></td> <td><b>0</b></td> <td><b>10,985,088</b></td> <td></td> <td><b>Est. Fringe</b></td> <td><b>0</b></td> <td><b>0</b></td> <td><b>0</b></td> <td><b>0</b></td> </tr> </tbody> </table> |                   |             |  |                   |                                   |   | FY 2020 Budget Request |             |             |             |  | FY 2020 Governor's Recommendation |  |  |  | GR | Federal | Other | Total | E | GR | Federal | Other | Total | E | PS | 20,116,404 | 0 | 0 | 20,116,404 |  | PS | 0 | 0 | 0 | 0 | EE | 3,467,855 | 0 | 0 | 3,467,855 |  | EE | 0 | 0 | 0 | 0 | PSD | 0 | 0 | 0 | 0 |  | PSD | 0 | 0 | 0 | 0 | TRF | 0 | 0 | 0 | 0 |  | TRF | 0 | 0 | 0 | 0 | <b>Total</b> | <b>23,584,259</b> | <b>0</b> | <b>0</b> | <b>23,584,259</b> |  | <b>Total</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>FTE</b> | <b>385.00</b> | <b>0.00</b> | <b>0.00</b> | <b>0.00</b> |  | <b>FTE</b> | <b>0.00</b> | <b>0.00</b> | <b>0.00</b> | <b>0.00</b> | <b>Est. Fringe</b> | <b>10,985,088</b> | <b>0</b> | <b>0</b> | <b>10,985,088</b> |  | <b>Est. Fringe</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> |
| FY 2020 Budget Request  |                   |             |  |                   | FY 2020 Governor's Recommendation |   |                        |             |             |             |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |
|   | GR                | Federal     | Other  | Total             | E                                 | GR  | Federal                | Other       | Total       | E           |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |
| PS  | 20,116,404        | 0           | 0  | 20,116,404        |                                   | PS  | 0                      | 0           | 0           | 0           |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |
| EE  | 3,467,855         | 0           | 0  | 3,467,855         |                                   | EE  | 0                      | 0           | 0           | 0           |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |
| PSD   | 0                 | 0           | 0  | 0                 |                                   | PSD   | 0                      | 0           | 0           | 0           |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |
| TRF   | 0                 | 0           | 0  | 0                 |                                   | TRF   | 0                      | 0           | 0           | 0           |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |
| <b>Total</b>  | <b>23,584,259</b> | <b>0</b>    | <b>0</b>   | <b>23,584,259</b> |                                   | <b>Total</b>  | <b>0</b>               | <b>0</b>    | <b>0</b>    | <b>0</b>    |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |
| <b>FTE</b>  | <b>385.00</b>     | <b>0.00</b> | <b>0.00</b>  | <b>0.00</b>       |                                   | <b>FTE</b>  | <b>0.00</b>            | <b>0.00</b> | <b>0.00</b> | <b>0.00</b> |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |
| <b>Est. Fringe</b>  | <b>10,985,088</b> | <b>0</b>    | <b>0</b>   | <b>10,985,088</b> |                                   | <b>Est. Fringe</b>  | <b>0</b>               | <b>0</b>    | <b>0</b>    | <b>0</b>    |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |
| Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.   |                   |             |  |                   |                                   |   |                        |             |             |             |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |
| Other Funds:  |                   |             |  |                   |                                   |   |                        |             |             |             |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |
| <b>2. THIS REQUEST CAN BE CATEGORIZED AS:</b>   |                   |             |  |                   |                                   |   |                        |             |             |             |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |
| <input type="checkbox"/> New Legislation<br><input type="checkbox"/> Federal Mandate<br><input type="checkbox"/> GR Pick-Up<br><input type="checkbox"/> Pay Plan  |                   |             | <input type="checkbox"/> New Program<br><input type="checkbox"/> Program Expansion<br><input type="checkbox"/> Space Request<br><input checked="" type="checkbox"/> X Other: <b>Constitutionally Mandated Representation</b> |                   |                                   | <input type="checkbox"/> Fund Switch<br><input type="checkbox"/> Cost to Continue<br><input type="checkbox"/> Equipment Replacement |                        |             |             |             |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |
| <b>3. WHY IS THIS FUNDING NEEDED? PROVIDE AN EXPLANATION FOR ITEMS CHECKED IN #2. INCLUDE THE FEDERAL OR STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS PROGRAM.</b>  |                   |             |  |                   |                                   |   |                        |             |             |             |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |
| <p>As stated in the program description, the issue of Missouri Public Defender's workload has been the subject of many different studies. Through budget requests, the media and eventually law suits, the Missouri State Public Defender (MSPD) has warned that the rights of poor Missourians are being violated throughout the state because MSPD's resources are too few and the caseloads too high. These claims were confirmed for both juveniles and adults.</p>   |                   |             |  |                   |                                   |   |                        |             |             |             |  |                                   |  |  |  |    |         |       |       |   |    |         |       |       |   |    |            |   |   |            |  |    |   |   |   |   |    |           |   |   |           |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                   |          |          |                   |  |              |          |          |          |          |            |               |             |             |             |  |            |             |             |             |             |                    |                   |          |          |                   |  |                    |          |          |          |          |

| NEW DECISION ITEM  |  |                    |        |
|--------------------|--|--------------------|--------|
| RANK:              | 7  | OF                 | 6      |
| <b>Department:</b> | Office of the State Public Defender                    | <b>Budget Unit</b> | 15111C |
| <b>Division:</b>   | Legal Services   |                    |        |
| <b>DI Name:</b>    | Constitutionally Mandated Representation - DI# 1151007 | <b>HB Section</b>  | 12.400 |

In the Spring of 2013, the National Juvenile Defender Center (NJDC) released a report that declared Missouri's indigent defense system to be "in crisis" after having "endured two decades of crushing caseloads and inadequate resources to provide its mandated services." A year later, following yet another failed attempt to acquire more resources, the American Bar Association (ABA) released the results of a commissioned report using a nationally renowned accounting firm, RubinBrown, which assessed MSPD's workload data in order to draw unbiased conclusions.

To facilitate this review, MSPD became the first public defender system in the country to require its attorneys to track time in five minute increments. Applying the Delphi methodology, a proven business-analysis model, the ABA Report, "The Missouri Project", found that MSPD did not have nearly enough resources to meet its obligations and that a significant number of additional attorneys were needed.

When these case weights (shown to the right) are applied to MSPD's 2018 caseload, the number of staff MSPD would need to meet its caseload is 306 additional attorneys (see case weight metrics to the right). 289 attorneys are requested in this Constitutionally Mandated Representation decision item. 11 attorneys are requested in the Juvenile Advocacy decision item and 6 are requested in the Springfield Appellate Office decision item.

**ABA/RubinBrown  
Workload Study  
Hours Per Type of Case**

|                      |       |
|----------------------|-------|
| Non-Capital Homicide | 106.6 |
| A/B Felony Offense   | 47.6  |
| C/D Felony Offense   | 25.0  |
| Sex Offense - Felony | 63.8  |
| Misdemeanor          | 11.7  |
| Juvenile             | 19.5  |
| Appeals/PCR          | 96.5  |
| Probation Violation  | 9.8   |

| NEW DECISION ITEM  |  |             |        |
|--|--|-------------|--------|
| RANK:  | 7  | OF          | 6      |
| Department:  | Office of the State Public Defender                    | Budget Unit | 15111C |
| Division:  | Legal Services   |             |        |
| DI Name:   | Constitutionally Mandated Representation - DI# 1151007 | HB Section  | 12.400 |
| <p><b>4. DESCRIBE THE DETAILED ASSUMPTIONS USED TO DERIVE THE SPECIFIC REQUESTED AMOUNT. (How did you determine that the requested number of FTE were appropriate? From what source or standard did you derive the requested levels of funding? Were alternatives such as outsourcing or automation considered? If based on new legislation, does request tie to TAFP fiscal note? If not, explain why. Detail which portions of the request are one-times and how those amounts were calculated.)</b></p>   |  |             |        |
| <p><b>Attorney Staff Needed to Handle Remaining Caseload:</b> Removing all conflict cases helped to reduce the public defender case overload, but it does not eliminate it. Assuming a consistent caseload, MSPD would still be 306 lawyers short of the number of attorneys needed according to the ABA report. This number is determined by applying RubinBrown's average case weights to the number of cases for each case type assigned for Fiscal Year 2018. The number was calculated after conflicts have all been eliminated and contracted to private attorneys. Attorney travel time and court time were added to the RubinBrown metrics calculations, resulting in 1,384,928 attorney hours required. Assuming 2,080 available attorney hours each year—664.5 attorneys would be required to provide effective, constitutional representation. The current number of Trial and Appellate Division attorneys is 359.50. There are 10 attorneys requested in a separate Juvenile Advocacy decision item and 6 attorneys requested in a separate Springfield Appellate decision item; leaving 289 attorneys to be requested in this decision item.</p> |  |             |        |
| <p><b>Support Staff:</b> Every law practice management expert will affirm that lawyer time needs to be leveraged by utilizing support staff for everything that can be done by a non-lawyer. This allows the lawyer to focus on tasks that only a lawyer can do. Therefore, MSPD is requesting 1 legal assistant for every 3 attorneys; that would mean 96 legal assistants in order to meet that ratio.</p>   |  |             |        |
| <p>Attorneys and support staff would be allocated to the most over-worked offices based on several factors including but not limited to: the RubinBrown caseload weights, problematic counties to practice in, difficult prosecutors to negotiate with, office space available, etc.</p>   |  |             |        |
| <p>The calculations for the Trial Division office only include the juvenile cases where the public defender system is currently providing juvenile representation. Some local public defender offices do not provide representation for juveniles and in those instances many counties are contracting with private attorneys to do so. A separate decision item is included in MSPD's FY2020 Legislative Budget Request to set up juvenile advocacy offices in St. Louis Area and in Kansas City.</p>   |  |             |        |

| NEW DECISION ITEM   |                           |                |                        |                            |                              |                 |                              |                              |                                 |   |                              |
|---|---------------------------|----------------|------------------------|----------------------------|------------------------------|-----------------|------------------------------|------------------------------|---------------------------------|---|------------------------------|
| RANK: <u>7</u>  |                           |                | OF <u>6</u>            |                            |                              |                 |                              |                              |                                 |   |                              |
| Department: Office of the State Public Defender   |                           |                |                        | Budget Unit <u>15111C</u>  |                              |                 |                              |                              |                                 |   |                              |
| Division: Legal Services  |                           |                |                        |                            |                              |                 |                              |                              |                                 |   |                              |
| DI Name: Constitutionally Mandated Representation - DI# 1151007   |                           |                |                        | HB Section <u>12.400</u>   |                              |                 |                              |                              |                                 |   |                              |
| <b>5. BREAK DOWN THE REQUEST BY BUDGET OBJECT CLASS, JOB CLASS, AND FUND SOURCE. IDENTIFY ONE-TIME COSTS.</b> |                           |                |                        |                            |                              |                 |                              |                              |                                 |   |                              |
| Budget Object Class/Job Class   | Dept Req<br>GR<br>DOLLARS |                | Dept Req<br>FED<br>FTE |                            | Dept Req<br>FED<br>DOLLARS   |                 | Dept Req<br>OTHER<br>DOLLARS |                              | Dept Req<br>TOTAL<br>FTE        |   | Dept Req<br>TOTAL<br>DOLLARS |
|   | Dept Req<br>GR<br>DOLLARS | Dept Req<br>GR | Dept Req<br>FED<br>FTE | Dept Req<br>FED<br>DOLLARS | Dept Req<br>OTHER<br>DOLLARS | Dept Req<br>FTE | Dept Req<br>TOTAL<br>FTE     | Dept Req<br>TOTAL<br>DOLLARS | Dept Req<br>One-Time<br>DOLLARS | E |                              |
| C00200 Secretary  | 2,752,128                 |                | 96.0                   |                            |                              |                 |                              |                              | 0                               |   | 2,752,128                    |
| C00400 Assistant Public Defender  | 17,364,276                |                | 289.0                  |                            |                              |                 |                              |                              | 0                               |   | 17,364,276                   |
| Total PS  | <u>20,116,404</u>         |                | <u>385.0</u>           |                            | <u>0</u>                     |                 | <u>0</u>                     |                              | <u>0.0</u>                      |   | <u>0.0</u>                   |
| Travel / 140  | 1,011,000                 |                |                        |                            |                              |                 |                              |                              | 0                               |   | 1,011,000                    |
| Supplies / 190  | 161,300                   |                |                        |                            |                              |                 |                              |                              | 0                               |   | 161,300                      |
| Rent / 680  | 731,500                   |                |                        |                            |                              |                 |                              |                              | 0                               |   | 731,500                      |
| Phones & Network Costs / 340  | 462,000                   |                |                        |                            |                              |                 |                              |                              | 0                               |   | 462,000                      |
| Office Equipment/580  | 520,285                   |                |                        |                            |                              |                 |                              |                              | 0                               |   | 520,285                      |
| Other Equipment/590   | 129,395                   |                |                        |                            |                              |                 |                              |                              | 0                               |   | 129,395                      |
| Computer Equipment//480   | 452,375                   |                |                        |                            |                              |                 |                              |                              | 0                               |   | 452,375                      |
| Total EE  | <u>3,467,855</u>          |                | <u>0</u>               |                            | <u>0</u>                     |                 | <u>0</u>                     |                              | <u>0</u>                        |   | <u>3,467,855</u>             |
| Program Distributions   | <u>0</u>                  |                | <u>0</u>               |                            | <u>0</u>                     |                 | <u>0</u>                     |                              | <u>0</u>                        |   | <u>0</u>                     |
| Total PSD   | <u>0</u>                  |                | <u>0</u>               |                            | <u>0</u>                     |                 | <u>0</u>                     |                              | <u>0</u>                        |   | <u>0</u>                     |
| Transfers   | <u>0</u>                  |                | <u>0</u>               |                            | <u>0</u>                     |                 | <u>0</u>                     |                              | <u>0</u>                        |   | <u>0</u>                     |
| Total TRF   | <u>0</u>                  |                | <u>0</u>               |                            | <u>0</u>                     |                 | <u>0</u>                     |                              | <u>0</u>                        |   | <u>0</u>                     |
| Grand Total   | <u><u>23,584,259</u></u>  |                | <u><u>385.0</u></u>    |                            | <u><u>0</u></u>              |                 | <u><u>0.0</u></u>            |                              | <u><u>0.0</u></u>               |   | <u><u>0</u></u>              |

| NEW DECISION ITEM   |                          |               |                |                           |                       |                             |                         |                             |                         |                                |
|---|--------------------------|---------------|----------------|---------------------------|-----------------------|-----------------------------|-------------------------|-----------------------------|-------------------------|--------------------------------|
| RANK: <u>7</u>  |                          |               | OF <u>6</u>    |                           |                       |                             |                         |                             |                         |                                |
| Department: Office of the State Public Defender                 |                          |               |                | Budget Unit <u>15111C</u> |                       |                             |                         |                             |                         |                                |
| Division: Legal Services  |                          |               |                |                           |                       |                             |                         |                             |                         |                                |
| DI Name: Constitutionally Mandated Representation - DI# 1151007 |                          |               |                | HB Section <u>12.400</u>  |                       |                             |                         |                             |                         |                                |
| Budget Object Class/Job Class                                   | Gov Rec<br>GR<br>DOLLARS | Gov Rec<br>GR | Gov Rec<br>FTE | Gov Rec<br>FED<br>DOLLARS | Gov Rec<br>FED<br>FTE | Gov Rec<br>OTHER<br>DOLLARS | Gov Rec<br>OTHER<br>FTE | Gov Rec<br>TOTAL<br>DOLLARS | Gov Rec<br>TOTAL<br>FTE | Gov Rec<br>One-Time<br>DOLLARS |
| C00200 Secretary  | 0                        | 0.0           |                |                           |                       |                             |                         | 0                           |                         | 0                              |
| C00400 Assistant Public Defender                                | 0                        | 0.0           |                |                           |                       |                             |                         | 0                           |                         | 0                              |
| Total PS  | 0                        | 0.0           | 0              | 0.0                       | 0                     | 0                           | 0.0                     | 0                           | 0.0                     | 0                              |
| Travel / 140  | 0                        |               |                |                           |                       |                             |                         | 0                           |                         | 0                              |
| Supplies / 190  | 0                        |               |                |                           |                       |                             |                         | 0                           |                         | 0                              |
| Rent / 680  | 0                        |               |                |                           |                       |                             |                         | 0                           |                         | 0                              |
| Phones & Network Costs / 340                                    | 0                        |               |                |                           |                       |                             |                         | 0                           |                         | 0                              |
| Office Equipment/580  | 0                        |               |                |                           |                       |                             |                         | 0                           |                         | 0                              |
| Other Equipment/590   | 0                        |               |                |                           |                       |                             |                         | 0                           |                         | 0                              |
| Computer Equipment//480   | 0                        |               |                |                           |                       |                             |                         | 0                           |                         | 0                              |
| Total EE  | 0                        |               | 0              |                           | 0                     |                             | 0                       | 0                           |                         | 0                              |
| Program Distributions   |                          |               |                |                           |                       |                             |                         | 0                           |                         | 0                              |
| Total PSD   | 0                        |               | 0              |                           | 0                     |                             | 0                       | 0                           |                         | 0                              |
| Transfers   |                          |               |                |                           |                       |                             |                         |                             |                         |                                |
| Total TRF   | 0                        |               | 0              |                           | 0                     |                             | 0                       | 0                           |                         | 0                              |
| Grand Total   | 0                        | 0.0           | 0              | 0.0                       | 0                     | 0                           | 0.0                     | 0                           | 0.0                     | 0                              |

**Fiscal Year 2018 ASSIGNED CASES -**

**Trial & Appellate Division Caseload, Adjusted for Withdrawals, and Office Conflicts**

**MSPD to Retain All Cases That Are Not Conflicts**

Does Not include Capital or CDU

| Type Code | Case Type                    | Trial & Appellate Division Cases Entered | Trial & Appellate Division Cases Wait List | Adjusted for FY18 Withdrawn | 1st Level Conflicts 41's, - Sending Office | 1st Level Conflicts 41's, - Receiving Office | Conflicts Assigned to Private Counsel 42's | Conflicts Assigned to Private Counsel 49's | Trial & Appellate Adjusted Caseload NO CONFLICTS | RubinBrown Hours Required for Case Type | FY18 Required Hours |
|-----------|------------------------------|--|--|-----------------------------|--|--|--|--|--|---|---------------------|
| 15        | Murder 1st Degree            | 134                                      |  | (30)                        | (2)  | (2)  | (4)  | (37)                                       | 59   | 106.60                                  | 6,289               |
| 20        | Other Homicide               | 155                                      | 2  | (22)                        | (3)  | (3)  | (1)  | (28)                                       | 100  | 106.60                                  | 10,660              |
| 30D       | AB Felony Drug               | 595                                      | 20   | (88)                        | (10)                                       | (10)   | (36)                                       | (141)                                      | 330  | 47.60                                   | 15,708              |
| 30F       | AB Felony Other              | 3,278                                    | 71   | (431)                       | (21)                                       | (21)   | (75)                                       | (542)                                      | 2,259  | 47.60                                   | 107,528             |
| 30X       | AB Felony Sex                | 567                                      | 9  | (73)                        | (4)  | (4)  | (7)  | (47)                                       | 441  | 63.80                                   | 28,136              |
| 35D       | CDE Felony Drug              | 11,643                                   | 640  | (926)                       | (84)                                       | (84)   | (291)                                      | (1,837)                                    | 9,061  | 25.00                                   | 226,525             |
| 35F       | CDE Felony Other             | 19,496                                   | 844  | (1,539)                     | (120)                                      | (120)  | (295)                                      | (2,445)                                    | 15,821   | 25.00                                   | 395,525             |
| 35X       | CDE Felony Sex               | 273                                      | 3  | (31)                        | (2)  | (2)  | (3)  | (23)                                       | 215  | 63.80                                   | 13,717              |
| 45M       | Misdemeanor                  | 9,162                                    | 526  | (579)                       | (48)                                       | (48)   | (89)                                       | (861)                                      | 8,063  | 11.70                                   | 94,337              |
| 45T       | Misdemeanor - Traffic        | 1,588                                    | 91   | (140)                       | (7)  | (7)  | (9)  | (98)                                       | 1,418  | 11.70                                   | 16,591              |
| 50N       | Juvenile - Non Violent       | 500                                      | 10   | (66)                        | (1)  | (1)  | (5)  | (58)                                       | 379  | 19.50                                   | 7,391               |
| 50S       | Juvenile - Status            | 83                                       | 3  | (34)                        |  |  |  | (3)  | 49   | 19.50                                   | 956                 |
| 50V       | Juvenile - Violent           | 382                                      | 12   | (46)                        | (1)  | (1)  | (5)  | (40)                                       | 301  | 19.50                                   | 5,870               |
| 60        | 552 Release Petitions        | 4  | 2  | (6)                         |  |  |  | (679)                                      | -679   | 0.00                                    | 0                   |
| 65F       | Probation Violation - Felony | 12,976                                   | 210  | (815)                       | (55)                                       | (55)   | (111)                                      | (113)                                      | 12,037   | 9.80                                    | 117,963             |
| 65M       | Probation Violation - Misd   | 2,483                                    | 58   | (126)                       | (8)  | (8)  | (23)                                       |  | 2,376  | 9.80                                    | 23,285              |
| 75        | Special Writ                 | 36                                       |  | (6)                         |  |  |  |  | 30   | 0.00                                    | 0                   |
| 110F      | Direct Appeals - Felony      | 331                                      |  | (12)                        | (5)  | (5)  | (3)  |  | 306  | 96.50                                   | 29,529              |
| 110S      | Direct Appeal - Misdemeanor  | 24                                       |  | (1)                         | (1)  | (1)  |  |  | 21   | 96.50                                   | 2,027               |
| 124A      | Rule 24.035 Appeal           | 214                                      |  | (1)                         |  |  |  |  | 213  | 96.50                                   | 20,555              |
| 124M      | Rule 24.035 Motion           | 633                                      |  | (22)                        | (9)  | (9)  | (2)  |  | 591  | 96.50                                   | 57,032              |
| 129A      | Rule 29.15 Appeal            | 189                                      |  | (2)                         | (1)  | (1)  |  |  | 185  | 96.50                                   | 17,853              |
| 129M      | Rule 29.15 Motion            | 248                                      |  | (19)                        | (8)  | (8)  | (2)  |  | 211  | 96.50                                   | 20,362              |
| Other     | Other                        | 94                                       | 7  | (15)                        | (1)  | (1)  |  | (5)  | 79   | 0.00                                    | 0                   |
|           | Totals                       | 65,088                                   | 2,508                                      | (5,030)                     | (391)                                      | (391)  | (961)                                      | (6,957)                                    | 53,866   | Case Hours                              | 1,217,835           |

**2018 Attorney Calculation**  
**Trial and Appellate Division - Case Standards**  
**Assuming All Conflicts to Private Counsel**

|  |                     |
|--|---------------------|
| Attorney Travel Time Per Year - Estimated from FY2016 Expense Reports      | 34,538.41           |
| Attorney In Court Time - Estimated from FY2016 Time Log Data               | 129,636.33          |
| Case Hours Required Per ABA/RubinBrown Study - January 2014                | <u>1,217,834.70</u> |
| Total Attorney Hours Required Per Year                                     | 1,382,009.44        |
| Attorney Hours Available Per Year  | 2,080.00            |
| Number of Attorneys Required   | 664.43              |
| Current Number of Trial & Appellate Division Attorneys<br>(Authorized FTE) | <u>(359.50)</u>     |
| Number of Attorneys Needed to meet RubinBrown Standard                     | 304.93              |
|  |                     |

**Trial and Appellate Divisions Case Standards  
Assuming All Conflicts to Private Counsel  
RubinBrown**

| COST BREAKDOWN                           | TOTAL COSTS         |
|--|---------------------|
| Personal Service                         |                     |
| Assistant Public Defender III - Range 30 | 289.00              |
| \$60,084                                 | \$17,364,276        |
| Legal Assistants - Range 15              | 96.00               |
| \$28,668                                 | \$2,752,128         |
|  | <u>385.00</u>       |
| Total Personal Service                   | <u>\$20,116,404</u> |
| Expense & Equipment                      |                     |
| One-time Purchases                       |                     |
| Attorney Package                         | 289.00              |
| \$2,855                                  | \$825,095           |
| Legal Assistant Package                  | 96.00               |
| \$2,885                                  | \$276,960           |
| Total One-Time Purchases                 | <u>\$1,102,055</u>  |
| On-Going Costs                           |                     |
| Attorneys                                | 289.00              |
| \$6,600                                  | \$1,907,400         |
| Legal Assistant                          | 96.00               |
| \$4,775                                  | \$458,400           |
| Total Personnel Related On-Going Costs   | <u>\$2,365,800</u>  |
| Total Expense and Equipment              | <u>\$3,467,855</u>  |
| Total Decision Item Request              | <u>\$23,584,259</u> |

## Position Cost Detail for New FTE's

### One Time Equipment Purchase

#### Attorneys

|                           |              |
|---------------------------|--------------|
| Desk                      | \$540        |
| Chair                     | \$175        |
| Side Chair (2)            | \$250        |
| Bookcase                  | \$215        |
| File Cabinet (2)          | \$225        |
| Telephone                 | \$275        |
| Laptop w/ Docking Station | \$960        |
| PC Software               | <u>\$215</u> |
|                           | \$2,855      |

#### Support Staff

|                           |              |
|---------------------------|--------------|
| Desk                      | \$540        |
| Chair                     | \$175        |
| Side Chair (2)            | \$250        |
| Camera                    | \$190        |
| Digital Recorder          | \$105        |
| File Cabinet (2)          | \$225        |
| Telephone                 | \$225        |
| Laptop w/ Docking Station | \$960        |
| PC Software               | <u>\$215</u> |
|                           | \$2,885      |

### Detail for Projections

#### On-Going Costs - Trial & Appellate Divisons

#### Attorneys

|                                |                |
|--------------------------------|----------------|
| Travel @ \$250 per month       | \$3,000        |
| Office                         | \$500          |
| Rent                           | \$1,900        |
| Phone & Network Communications | <u>\$1,200</u> |
|                                | \$6,600        |

#### Legal Assistants/Investigators

|                                |                |
|--------------------------------|----------------|
| Travel @ \$125 per month       | \$1,500        |
| Office                         | \$175          |
| Rent                           | \$1,900        |
| Phone & Network Communications | <u>\$1,200</u> |
|                                | \$4,775        |

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM DETAIL**

| Budget Unit                                     | FY 2018    | FY 2018     | FY 2019    | FY 2019     | FY 2020             | FY 2020       | FY 2020    | FY 2020     |
|---|------------|-------------|------------|-------------|---------------------|---------------|------------|-------------|
| Decision Item                                   | ACTUAL     | ACTUAL      | BUDGET     | BUDGET      | DEPT REQ            | DEPT REQ      | GOV REC    | GOV REC     |
| Budget Object Class                             | DOLLAR     | FTE         | DOLLAR     | FTE         | DOLLAR              | FTE           | DOLLAR     | FTE         |
| <b>OFFICE OF THE DIRECTOR</b>                   |            |             |            |             |                     |               |            |             |
| <b>Constitutionally Mandated Repr - 1151006</b> |            |             |            |             |                     |               |            |             |
| SECRETARY                                       | 0          | 0.00        | 0          | 0.00        | 2,752,128           | 96.00         | 0          | 0.00        |
| ASSISTANT PUBLIC DEFENDER                       | 0          | 0.00        | 0          | 0.00        | 17,364,276          | 289.00        | 0          | 0.00        |
| <b>TOTAL - PS</b>                               | <b>0</b>   | <b>0.00</b> | <b>0</b>   | <b>0.00</b> | <b>20,116,404</b>   | <b>385.00</b> | <b>0</b>   | <b>0.00</b> |
| TRAVEL, IN-STATE                                | 0          | 0.00        | 0          | 0.00        | 1,011,000           | 0.00          | 0          | 0.00        |
| SUPPLIES  | 0          | 0.00        | 0          | 0.00        | 161,300             | 0.00          | 0          | 0.00        |
| COMMUNICATION SERV & SUPP                       | 0          | 0.00        | 0          | 0.00        | 462,000             | 0.00          | 0          | 0.00        |
| COMPUTER EQUIPMENT                              | 0          | 0.00        | 0          | 0.00        | 452,375             | 0.00          | 0          | 0.00        |
| OFFICE EQUIPMENT                                | 0          | 0.00        | 0          | 0.00        | 520,285             | 0.00          | 0          | 0.00        |
| OTHER EQUIPMENT                                 | 0          | 0.00        | 0          | 0.00        | 129,395             | 0.00          | 0          | 0.00        |
| BUILDING LEASE PAYMENTS                         | 0          | 0.00        | 0          | 0.00        | 731,500             | 0.00          | 0          | 0.00        |
| <b>TOTAL - EE</b>                               | <b>0</b>   | <b>0.00</b> | <b>0</b>   | <b>0.00</b> | <b>3,467,855</b>    | <b>0.00</b>   | <b>0</b>   | <b>0.00</b> |
| <b>GRAND TOTAL</b>                              | <b>\$0</b> | <b>0.00</b> | <b>\$0</b> | <b>0.00</b> | <b>\$23,584,259</b> | <b>385.00</b> | <b>\$0</b> | <b>0.00</b> |
| GENERAL REVENUE                                 | \$0        | 0.00        | \$0        | 0.00        | \$23,584,259        | 385.00        |            | 0.00        |
| FEDERAL FUNDS                                   | \$0        | 0.00        | \$0        | 0.00        | \$0                 | 0.00          |            | 0.00        |
| OTHER FUNDS                                     | \$0        | 0.00        | \$0        | 0.00        | \$0                 | 0.00          |            | 0.00        |

| NEW DECISION ITEM   |                |          |          |  |   |                                   |          |                        |          |          |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
|---|----------------|----------|----------|--|---|-----------------------------------|----------|------------------------|----------|----------|--|--|--|-----------------------------------|--|--|--|--|----|---------|-------|-------|---|----|---------|-------|-------|---|----|---------|---|---|---------|--|----|---|---|---|---|----|--------|---|---|--------|--|----|---|---|---|---|-----|---|---|---|---|--|-----|---|---|---|---|-----|---|---|---|---|--|-----|---|---|---|---|--------------|----------------|----------|----------|----------------|--|--------------|----------|----------|----------|----------|
| RANK: <u>8</u>  |                |          |          | OF <u>8</u>  |   |                                   |          |                        |          |          |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| Department: Office of the State Public Defender   |                |          |          | Budget Unit <u>15111C</u>  |   |                                   |          |                        |          |          |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| Division: Legal Services  |                |          |          |  |   |                                   |          |                        |          |          |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| DI Name: Social Worker Pilot Program  |                |          |          | DI# <u>'1151008</u>  |   |                                   |          |                        |          |          |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
|   |                |          |          | HB Section <u>12.400</u>   |   |                                   |          |                        |          |          |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| <b>1. AMOUNT OF REQUEST</b>   |                |          |          |  |   |                                   |          |                        |          |          |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| <table border="1"> <thead> <tr> <th colspan="6">FY 2020 Budget Request</th> <th colspan="4">FY 2020 Governor's Recommendation</th> </tr> <tr> <th></th> <th>GR</th> <th>Federal</th> <th>Other</th> <th>Total</th> <th>E</th> <th>GR</th> <th>Federal</th> <th>Other</th> <th>Total</th> <th>E</th> </tr> </thead> <tbody> <tr> <td>PS</td> <td>222,500</td> <td>0</td> <td>0</td> <td>222,500</td> <td></td> <td>PS</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>EE</td> <td>25,560</td> <td>0</td> <td>0</td> <td>25,560</td> <td></td> <td>EE</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>PSD</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td></td> <td>PSD</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>TRF</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td></td> <td>TRF</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td><b>Total</b></td> <td><b>248,060</b></td> <td><b>0</b></td> <td><b>0</b></td> <td><b>248,060</b></td> <td></td> <td><b>Total</b></td> <td><b>0</b></td> <td><b>0</b></td> <td><b>0</b></td> <td><b>0</b></td> </tr> </tbody> </table> |                |          |          |  |   |                                   |          | FY 2020 Budget Request |          |          |  |  |  | FY 2020 Governor's Recommendation |  |  |  |  | GR | Federal | Other | Total | E | GR | Federal | Other | Total | E | PS | 222,500 | 0 | 0 | 222,500 |  | PS | 0 | 0 | 0 | 0 | EE | 25,560 | 0 | 0 | 25,560 |  | EE | 0 | 0 | 0 | 0 | PSD | 0 | 0 | 0 | 0 |  | PSD | 0 | 0 | 0 | 0 | TRF | 0 | 0 | 0 | 0 |  | TRF | 0 | 0 | 0 | 0 | <b>Total</b> | <b>248,060</b> | <b>0</b> | <b>0</b> | <b>248,060</b> |  | <b>Total</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> |
| FY 2020 Budget Request  |                |          |          |  |   | FY 2020 Governor's Recommendation |          |                        |          |          |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
|   | GR             | Federal  | Other    | Total  | E | GR                                | Federal  | Other                  | Total    | E        |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| PS  | 222,500        | 0        | 0        | 222,500  |   | PS                                | 0        | 0                      | 0        | 0        |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| EE  | 25,560         | 0        | 0        | 25,560   |   | EE                                | 0        | 0                      | 0        | 0        |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| PSD   | 0              | 0        | 0        | 0  |   | PSD                               | 0        | 0                      | 0        | 0        |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| TRF   | 0              | 0        | 0        | 0  |   | TRF                               | 0        | 0                      | 0        | 0        |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| <b>Total</b>  | <b>248,060</b> | <b>0</b> | <b>0</b> | <b>248,060</b>   |   | <b>Total</b>                      | <b>0</b> | <b>0</b>               | <b>0</b> | <b>0</b> |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| FTE <u>5.00</u>   |                |          |          | FTE <u>0.00</u>  |   |                                   |          |                        |          |          |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| <b>Est. Fringe</b> <u>130,856</u>   |                |          |          | <b>Est. Fringe</b> <u>0</u>  |   |                                   |          |                        |          |          |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| 0   |                |          |          | 0  |   |                                   |          |                        |          |          |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| 130,856   |                |          |          | 0  |   |                                   |          |                        |          |          |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.   |                |          |          |  |   |                                   |          |                        |          |          |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| Other Funds:  |                |          |          |  |   |                                   |          |                        |          |          |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| <b>2. THIS REQUEST CAN BE CATEGORIZED AS:</b>   |                |          |          |  |   |                                   |          |                        |          |          |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| <input type="checkbox"/> New Legislation<br><input type="checkbox"/> Federal Mandate<br><input type="checkbox"/> GR Pick-Up<br><input type="checkbox"/> Pay Plan  |                |          |          | <input checked="" type="checkbox"/> New Program<br><input type="checkbox"/> Program Expansion<br><input type="checkbox"/> Space Request<br><input type="checkbox"/> Other: _____ |   |                                   |          |                        |          |          |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| <input type="checkbox"/> Fund Switch<br><input type="checkbox"/> Cost to Continue<br><input type="checkbox"/> Equipment Replacement   |                |          |          |  |   |                                   |          |                        |          |          |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| <b>3. WHY IS THIS FUNDING NEEDED? PROVIDE AN EXPLANATION FOR ITEMS CHECKED IN #2. INCLUDE THE FEDERAL OR STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS PROGRAM.</b>  |                |          |          |  |   |                                   |          |                        |          |          |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |
| <p>Missouri State Public Defender trial offices have been taxed with the responsibility of providing legal representation to indigent defendants throughout the State of Missouri. Those defendants who become MSPD clients are hampered not just by the criminal charge they are facing, but usually also by other issues such as mental illness, substance abuse, unemployment or homelessness. All of those factors play a significant role in whether the defendant remains incarcerated pretrial, whether the defendant is convicted and often whether the person becomes a MSPD client a second time.</p>   |                |          |          |  |   |                                   |          |                        |          |          |  |  |  |                                   |  |  |  |  |    |         |       |       |   |    |         |       |       |   |    |         |   |   |         |  |    |   |   |   |   |    |        |   |   |        |  |    |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |     |   |   |   |   |  |     |   |   |   |   |              |                |          |          |                |  |              |          |          |          |          |

| <b>NEW DECISION ITEM</b> |  |                    |                 |
|--------------------------|--|--------------------|-----------------|
| <b>RANK:</b>             | <u>8</u>                                   | <b>OF</b>          | <u>8</u>        |
| <b>Department:</b>       | <b>Office of the State Public Defender</b> | <b>Budget Unit</b> | <u>15111C</u>   |
| <b>Division:</b>         | <b>Legal Services</b>                      |                    |                 |
| <b>DI Name:</b>          | <b>Social Worker Pilot Program</b>         | <b>DI#</b>         | <u>'1151008</u> |
|                          |  | <b>HB Section</b>  | <u>12.400</u>   |

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Mental health clients are a significant cost burden on county jails for both incarceration costs and medical treatment. Mental health clients spend longer periods of pre-trial detention on lower level felonies because they have no place to go. Placing resources in MSPD for social workers to address the needs of these clients will reduce local county jail costs and benefit public safety by connecting mentally ill clients with resources and decreasing the chances of re-offense.

The introduction of social workers into trial offices would provide MSPD with the resources to advocate for pretrial release while assuring community safety. MSPD could also locate treatment for addictions and connect clients with housing and employment opportunities. Currently those burdens are placed on the shoulders of attorneys who have no training in social work and no time to perform those social work responsibilities. The presence of a social worker in public defender representation would reduce the possibility of recidivism by addressing collateral issues that bring the client into the criminal justice system.

Social workers would assist in establishing pretrial release plans for clients. Here are a few examples of what other states are doing: (*Source: American Bar Association - State Implementation Project*)

- A case study in the Southern District of Iowa showed that pretrial release was effective both in reducing recidivism and reducing county costs for pretrial detention.
- Similarly, the placement of social workers in public defender offices in Kentucky reduced the cost of pretrial incarceration and reduced the rate of recidivism. The social workers were able to work with the defendants regarding drug and alcohol counseling and provide the defendants with enhanced support that could not be provided otherwise.
- In Connecticut social workers are available to work on all cases. The social workers advocate, educate, assess, plan and assist the clients. They are trained to identify issues of competence to stand trial, suicidal ideation, mental illness and substance abuse. They work on a micro level to effect outcome of client's lives, providing services as basic as making certain clients have clothes to wear when leaving jail or testifying before a judge on the invaluable human element of the defendant before the Court. All to the benefit of not only the clients, but also to the Court system and State.

| NEW DECISION ITEM   |                                     |             |         |
|---|-------------------------------------|-------------|---------|
| RANK:   | 8                                   | OF          | 8       |
| Department:   | Office of the State Public Defender | Budget Unit | 15111C  |
| Division:   | Legal Services                      |             |         |
| DI Name:  | Social Worker Pilot Program         | DI#         | 1151008 |
|   |                                     | HB Section  | 12.400  |
| <p><b>4. DESCRIBE THE DETAILED ASSUMPTIONS USED TO DERIVE THE SPECIFIC REQUESTED AMOUNT. (How did you determine that the requested number of FTE were appropriate? From what source or standard did you derive the requested levels of funding? Were alternatives such as outsourcing or automation considered? If based on new legislation, does request tie to TAFF fiscal note? If not, explain why. Detail which portions of the request are one-times and how those amounts were calculated.)</b></p>  |                                     |             |         |
| <p>In addition to pretrial work social workers in public defender offices can assist the court by telling the complete story of the defendant, resulting in a sentence, if convicted, that ensures the defendant's successful re-entry into society. Social workers can prepare reports for the Court that inform the Court of the defendant's mental health, substance abuse, brain development, medical conditions, and social development. The report to the Court contains a comprehensive assessment of the defendant and a plan of action for successful rehabilitation and re-entry. The information can help suggest a sentence that allows the defendant the opportunity to remain or become a productive member of society, once again potentially decreasing the state's costs of incarceration.</p> |                                     |             |         |

**NEW DECISION ITEM**  
**RANK: 8**      **OF 8**

**Department:** Office of the State Public Defender      **Budget Unit** 15111C  
**Division:** Legal Services  
**DI Name:** Social Worker Pilot Program      **DI#** '1151008      **HB Section** 12.400

**5. BREAK DOWN THE REQUEST BY BUDGET OBJECT CLASS, JOB CLASS, AND FUND SOURCE. IDENTIFY ONE-TIME COSTS.**

| Budget Object Class/Job Class | Dept Req<br>GR<br>DOLLARS | Dept Req<br>GR<br>FTE | Dept Req<br>FED<br>DOLLARS | Dept Req<br>FED<br>FTE | Dept Req<br>OTHER<br>DOLLARS | Dept Req<br>OTHER<br>FTE | Dept Req<br>TOTAL<br>DOLLARS | Dept Req<br>TOTAL<br>FTE | Dept Req<br>One-Time<br>DOLLARS | Dept Req<br>E |
|-------------------------------|---------------------------|-----------------------|----------------------------|------------------------|------------------------------|--------------------------|------------------------------|--------------------------|---------------------------------|---------------|
|                               |                           |                       |                            |                        |                              |                          | 0                            |                          |                                 |               |
| C00350      Social Worker     | 222,500                   | 5.0                   |                            |                        |                              |                          | 222,500                      |                          |                                 |               |
| Total PS                      | 222,500                   | 5.0                   | 0                          | 0.0                    | 0                            | 0.0                      | 222,500                      | 0.0                      | 0.0                             | 0             |
| Travel / 140                  |                           |                       | 15,000                     |                        |                              |                          | 0                            |                          | 15,000                          |               |
| Supplies / 190                |                           |                       | 3,000                      |                        |                              |                          | 0                            |                          | 3,000                           |               |
| Phones & Network Costs / 340  |                           |                       | 3,000                      |                        |                              |                          | 0                            |                          | 3,000                           |               |
| Parking/680                   |                           | 4,560                 |                            |                        |                              |                          | 4,560                        |                          |                                 |               |
| Total EE                      | 25,560                    |                       | 0                          |                        | 0                            |                          | 25,560                       |                          |                                 | 0             |
| Program Distributions         |                           |                       |                            |                        |                              |                          | 0                            |                          |                                 |               |
| Total PSD                     | 0                         |                       | 0                          |                        | 0                            |                          | 0                            |                          |                                 | 0             |
| Transfers                     |                           |                       |                            |                        |                              |                          |                              |                          |                                 |               |
| Total TRF                     | 0                         |                       | 0                          |                        | 0                            |                          | 0                            |                          |                                 | 0             |
| <b>Grand Total</b>            | <b>248,060</b>            | <b>5.0</b>            | <b>0</b>                   | <b>0.0</b>             | <b>0</b>                     | <b>0.0</b>               | <b>248,060</b>               | <b>0.0</b>               | <b>0</b>                        |               |

| NEW DECISION ITEM                               |               |                          |                           |                           |                       |                             |                         |                             |                         |                                |
|---|---------------|--------------------------|---------------------------|---------------------------|-----------------------|-----------------------------|-------------------------|-----------------------------|-------------------------|--------------------------------|
| RANK: <u>8</u>                                  |               | OF <u>8</u>              |                           |                           |                       |                             |                         |                             |                         |                                |
| Department: Office of the State Public Defender |               |                          | Budget Unit <u>15111C</u> |                           |                       |                             |                         |                             |                         |                                |
| Division: Legal Services                        |               |                          | HB Section <u>12.400</u>  |                           |                       |                             |                         |                             |                         |                                |
| DI Name: Social Worker Pilot Program            |               | DI# <u>'1151008</u>      |                           |                           |                       |                             |                         |                             |                         |                                |
| Budget Object Class/Job Class                   |               | Gov Rec<br>GR<br>DOLLARS | Gov Rec<br>GR<br>FTE      | Gov Rec<br>FED<br>DOLLARS | Gov Rec<br>FED<br>FTE | Gov Rec<br>OTHER<br>DOLLARS | Gov Rec<br>OTHER<br>FTE | Gov Rec<br>TOTAL<br>DOLLARS | Gov Rec<br>TOTAL<br>FTE | Gov Rec<br>One-Time<br>DOLLARS |
| C00350  | Social Worker | 0                        | 0.0                       | 0                         | 0.0                   | 0                           | 0.0                     | 0                           | 0                       | 0.0                            |
| Total PS  |               | 0                        | 0.0                       | 0                         | 0.0                   | 0                           | 0.0                     | 0                           | 0.0                     | 0                              |
| Travel / 140                                    |               | 0                        |                           |                           |                       |                             |                         | 0                           |                         | 0                              |
| Supplies / 190                                  |               | 0                        |                           |                           |                       |                             |                         | 0                           |                         | 0                              |
| Phones & Network Costs / 340                    |               | 0                        |                           |                           |                       |                             |                         | 0                           |                         | 0                              |
| Parking/680                                     |               | 0                        |                           |                           |                       |                             |                         | 0                           |                         |                                |
| Total EE  |               | 0                        |                           | 0                         |                       | 0                           |                         | 0                           |                         | 0                              |
| Program Distributions                           |               |                          |                           |                           |                       |                             |                         | 0                           |                         |                                |
| Total PSD                                       |               | 0                        |                           | 0                         |                       | 0                           |                         | 0                           |                         | 0                              |
| Transfers                                       |               |                          |                           |                           |                       |                             |                         |                             |                         |                                |
| Total TRF                                       |               | 0                        |                           | 0                         |                       | 0                           |                         | 0                           |                         | 0                              |
| Grand Total                                     |               | 0                        | 0.0                       | 0                         | 0.0                   | 0                           | 0.0                     | 0                           | 0.0                     | 0                              |

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM DETAIL**

| Budget Unit<br>Decision Item<br>Budget Object Class | FY 2018<br>ACTUAL<br>DOLLAR | FY 2018<br>ACTUAL<br>FTE | FY 2019<br>BUDGET<br>DOLLAR | FY 2019<br>BUDGET<br>FTE | FY 2020<br>DEPT REQ<br>DOLLAR | FY 2020<br>DEPT REQ<br>FTE | FY 2020<br>GOV REC<br>DOLLAR | FY 2020<br>GOV REC<br>FTE |
|---|-----------------------------|--------------------------|-----------------------------|--------------------------|-------------------------------|----------------------------|------------------------------|---------------------------|
| <b>OFFICE OF THE DIRECTOR</b>                       |                             |                          |                             |                          |                               |                            |                              |                           |
| <b>Social Worker Pilot Project - 1151007</b>        |                             |                          |                             |                          |                               |                            |                              |                           |
| MITIGATION SPECIALIST                               | 0                           | 0.00                     | 0                           | 0.00                     | 222,500                       | 5.00                       | 0                            | 0.00                      |
| <b>TOTAL - PS</b>                                   | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>222,500</b>                | <b>5.00</b>                | <b>0</b>                     | <b>0.00</b>               |
| TRAVEL, IN-STATE                                    | 0                           | 0.00                     | 0                           | 0.00                     | 15,000                        | 0.00                       | 0                            | 0.00                      |
| SUPPLIES  | 0                           | 0.00                     | 0                           | 0.00                     | 3,000                         | 0.00                       | 0                            | 0.00                      |
| COMMUNICATION SERV & SUPP                           | 0                           | 0.00                     | 0                           | 0.00                     | 3,000                         | 0.00                       | 0                            | 0.00                      |
| BUILDING LEASE PAYMENTS                             | 0                           | 0.00                     | 0                           | 0.00                     | 4,560                         | 0.00                       | 0                            | 0.00                      |
| <b>TOTAL - EE</b>                                   | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>25,560</b>                 | <b>0.00</b>                | <b>0</b>                     | <b>0.00</b>               |
| <b>GRAND TOTAL</b>                                  | <b>\$0</b>                  | <b>0.00</b>              | <b>\$0</b>                  | <b>0.00</b>              | <b>\$248,060</b>              | <b>5.00</b>                | <b>\$0</b>                   | <b>0.00</b>               |
| GENERAL REVENUE                                     | \$0                         | 0.00                     | \$0                         | 0.00                     | \$248,060                     | 5.00                       |                              | 0.00                      |
| FEDERAL FUNDS                                       | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       |                              | 0.00                      |
| OTHER FUNDS   | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       |                              | 0.00                      |

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM SUMMARY**
**Budget Unit**

| Decision Item<br>Budget Object Summary<br>Fund | FY 2018<br>ACTUAL<br>DOLLAR | FY 2018<br>ACTUAL<br>FTE | FY 2019<br>BUDGET<br>DOLLAR | FY 2019<br>BUDGET<br>FTE | FY 2020<br>DEPT REQ<br>DOLLAR | FY 2020<br>DEPT REQ<br>FTE | FY 2020<br>GOV REC<br>DOLLAR | FY 2020<br>GOV REC<br>FTE |
|--|-----------------------------|--------------------------|-----------------------------|--------------------------|-------------------------------|----------------------------|------------------------------|---------------------------|
| <b>EXTRAORDINARY EXPENSE/CONFLICTS</b>         |                             |                          |                             |                          |                               |                            |                              |                           |
| <b>CORE</b>                                    |                             |                          |                             |                          |                               |                            |                              |                           |
| EXPENSE & EQUIPMENT                            |                             |                          |                             |                          |                               |                            |                              |                           |
| GENERAL REVENUE                                | 4,720,922                   | 0.00                     | 4,721,071                   | 0.00                     | 4,721,071                     | 0.00                       | 4,721,071                    | 0.00                      |
| TOTAL - EE                                     | 4,720,922                   | 0.00                     | 4,721,071                   | 0.00                     | 4,721,071                     | 0.00                       | 4,721,071                    | 0.00                      |
| <b>TOTAL</b>                                   | <b>4,720,922</b>            | <b>0.00</b>              | <b>4,721,071</b>            | <b>0.00</b>              | <b>4,721,071</b>              | <b>0.00</b>                | <b>4,721,071</b>             | <b>0.00</b>               |
| <b>GRAND TOTAL</b>                             | <b>\$4,720,922</b>          | <b>0.00</b>              | <b>\$4,721,071</b>          | <b>0.00</b>              | <b>\$4,721,071</b>            | <b>0.00</b>                | <b>\$4,721,071</b>           | <b>0.00</b>               |

## CORE DECISION ITEM

| Department: <u>Office of the State Public Defender</u>   | Budget Unit <u>15151C</u>   |              |          |                  |   |                                   |                  |          |          |                  |
|--|-----------------------------|--------------|----------|------------------|---|-----------------------------------|------------------|----------|----------|------------------|
| Division: <u>Public Defender</u>   |                             |              |          |                  |   |                                   |                  |          |          |                  |
| Core: <u>Litigation Expenses/Conflict Cases Core Request</u>   | <u>HB Section HB 12.400</u> |              |          |                  |   |                                   |                  |          |          |                  |
| <b>1. CORE FINANCIAL SUMMARY</b>   |                             |              |          |                  |   |                                   |                  |          |          |                  |
|  | FY 2020 Budget Request      |              |          |                  |   | FY 2020 Governor's Recommendation |                  |          |          |                  |
|  | GR                          | Federal      | Other    | Total            | E   | GR                                | Federal          | Other    | Total    | E                |
| PS   | 0                           | 0            | 0        | 0                |   | PS                                | 0                | 0        | 0        | 0                |
| EE   | 4,721,071                   | 0            | 0        | 4,721,071        |   | EE                                | 4,721,071        | 0        | 0        | 4,721,071        |
| PSD  | 0                           | 0            | 0        | 0                |   | PSD                               | 0                | 0        | 0        | 0                |
| TRF  | 0                           | 0            | 0        | 0                |   | TRF                               | 0                | 0        | 0        | 0                |
| <b>Total</b>   | <b>4,721,071</b>            | <b>0</b>     | <b>0</b> | <b>4,721,071</b> |   | <b>Total</b>                      | <b>4,721,071</b> | <b>0</b> | <b>0</b> | <b>4,721,071</b> |
| FTE  | 0.00                        | 0.00         | 0.00     | 0.00             |   | FTE                               | 0.00             | 0.00     | 0.00     | 0.00             |
| <b>Est. Fringe</b>   | 0                           | 0            | 0        | 0                |   | <b>Est. Fringe</b>                | 0                | 0        | 0        | 0                |
| Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.  |                             |              |          |                  | Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation. |                                   |                  |          |          |                  |
| Other Funds:   |                             | Other Funds: |          |                  |   |                                   |                  |          |          |                  |
| <b>2. CORE DESCRIPTION</b>   |                             |              |          |                  |   |                                   |                  |          |          |                  |
| This appropriation was established to cover three main types of expenses.  |                             |              |          |                  |   |                                   |                  |          |          |                  |
| VIOLENT CRIMES: Payment of expenses associated with the defense of violent crimes, including those charged as sexually violent predators.  |                             |              |          |                  |   |                                   |                  |          |          |                  |
| LITIGATION EXPENSES: Litigation expenses costing over \$500 are paid out of the appropriation. These would include, but are not limited to, such things as independent analysis of DNA evidence, mental health evaluations by experts, depositions, interpreters, medical records, transcriptions, exhibits, immigration consultations, fingerprint experts, handwriting analysis, etc. There has been no increase in funding for litigation expense since fiscal year 1996. |                             |              |          |                  |   |                                   |                  |          |          |                  |
| CONFLICT CASES: A conflict requiring a case to be contracted out to private counsel occurs when there are multiple co-defendants charged in a particular incident. Should these co-defendants, each want to snitch on the other, an ethical problem is created and one defender office may not represent more than one co-defendant.   |                             |              |          |                  |   |                                   |                  |          |          |                  |

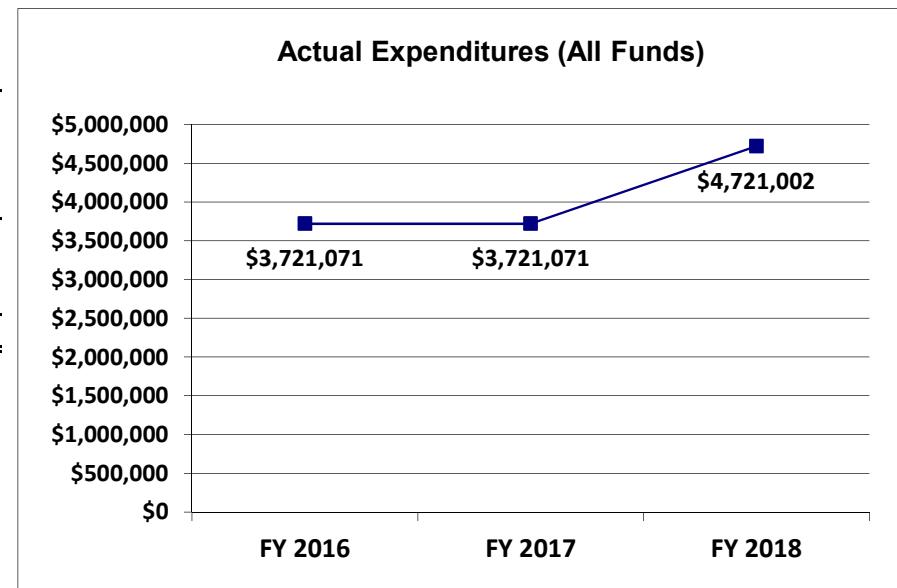
## CORE DECISION ITEM

|   |                             |
|---|-----------------------------|
| <b>Department:</b> Office of the State Public Defender                  | <b>Budget Unit</b> 15151C   |
| <b>Division:</b> Public Defender  |                             |
| <b>Core:</b> Litigation Expenses/Conflict Cases Core Request            | <b>HB Section</b> HB 12.400 |
| <b>3. PROGRAM LISTING (list programs included in this core funding)</b> |                             |

The Missouri State Public Defender has only one program: providing constitutionally required criminal defense representation to Missourians facing the loss of liberty in state misdemeanor and felony prosecutions, as well as in appellate and post-conviction representation matters in which the state has created a right to counsel.

## 4. FINANCIAL HISTORY

|                                 | FY 2016<br>Actual | FY 2017<br>Actual | FY 2018<br>Actual | FY 2019<br>Current Yr. |
|---------------------------------|-------------------|-------------------|-------------------|------------------------|
| Appropriation (All Funds)       | 3,721,071         | 3,721,071         | 4,721,071         | 0                      |
| Less Reverted (All Funds)       | 0                 | 0                 | 0                 | 0                      |
| Less Restricted (All Funds)*    | 0                 | 0                 | 0                 | 0                      |
| Budget Authority (All Funds)    | 3,721,071         | 3,721,071         | 4,721,071         | 0                      |
| Actual Expenditures (All Funds) | 3,721,071         | 3,721,071         | 4,721,002         | N/A                    |
| Unexpended (All Funds)          | 0                 | 0                 | 69                | 0                      |
| Unexpended, by Fund:            |                   |                   |                   |                        |
| General Revenue                 | 0                 | 0                 | 0                 | N/A                    |
| Federal                         | 0                 | 0                 | 0                 | N/A                    |
| Other                           | 0                 | 0                 | 0                 | N/A                    |



\*Restricted amount is \$0.00 as of September 14, 2018

Reverted includes the statutory three-percent reserve amount (when applicable).

Restricted includes any Governor's Expenditure Restrictions which remained at the end of the fiscal year (when applicable).

## NOTES:

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM DETAIL**

| Budget Unit                            | FY 2018            | FY 2018     | FY 2019            | FY 2019     | FY 2020            | FY 2020     | FY 2020            | FY 2020     |
|--|--------------------|-------------|--------------------|-------------|--------------------|-------------|--------------------|-------------|
| Decision Item                          | ACTUAL             | ACTUAL      | BUDGET             | BUDGET      | DEPT REQ           | DEPT REQ    | GOV REC            | GOV REC     |
| Budget Object Class                    | DOLLAR             | FTE         | DOLLAR             | FTE         | DOLLAR             | FTE         | DOLLAR             | FTE         |
| <b>EXTRAORDINARY EXPENSE/CONFFLICT</b> |                    |             |                    |             |                    |             |                    |             |
| <b>CORE</b>                            |                    |             |                    |             |                    |             |                    |             |
| TRAVEL, IN-STATE                       | 264,346            | 0.00        | 275,000            | 0.00        | 265,000            | 0.00        | 265,000            | 0.00        |
| TRAVEL, OUT-OF-STATE                   | 52,196             | 0.00        | 50,000             | 0.00        | 55,000             | 0.00        | 55,000             | 0.00        |
| FUEL & UTILITIES                       | 4,442              | 0.00        | 5,500              | 0.00        | 5,000              | 0.00        | 5,000              | 0.00        |
| SUPPLIES                               | 23,592             | 0.00        | 25,000             | 0.00        | 25,000             | 0.00        | 25,000             | 0.00        |
| PROFESSIONAL DEVELOPMENT               | 0                  | 0.00        | 1,500              | 0.00        | 1,500              | 0.00        | 1,500              | 0.00        |
| COMMUNICATION SERV & SUPP              | 21,385             | 0.00        | 20,000             | 0.00        | 20,000             | 0.00        | 20,000             | 0.00        |
| PROFESSIONAL SERVICES                  | 4,112,692          | 0.00        | 4,129,571          | 0.00        | 4,095,571          | 0.00        | 4,095,571          | 0.00        |
| HOUSEKEEPING & JANITORIAL SERV         | 2,517              | 0.00        | 2,500              | 0.00        | 2,500              | 0.00        | 2,500              | 0.00        |
| M&R SERVICES                           | 7,433              | 0.00        | 6,000              | 0.00        | 7,000              | 0.00        | 7,000              | 0.00        |
| COMPUTER EQUIPMENT                     | 0                  | 0.00        | 1,500              | 0.00        | 1,500              | 0.00        | 1,500              | 0.00        |
| OFFICE EQUIPMENT                       | 0                  | 0.00        | 1,500              | 0.00        | 15,000             | 0.00        | 15,000             | 0.00        |
| BUILDING LEASE PAYMENTS                | 225,003            | 0.00        | 200,000            | 0.00        | 225,000            | 0.00        | 225,000            | 0.00        |
| EQUIPMENT RENTALS & LEASES             | 1,408              | 0.00        | 1,500              | 0.00        | 1,500              | 0.00        | 1,500              | 0.00        |
| MISCELLANEOUS EXPENSES                 | 5,908              | 0.00        | 1,500              | 0.00        | 1,500              | 0.00        | 1,500              | 0.00        |
| <b>TOTAL - EE</b>                      | <b>4,720,922</b>   | <b>0.00</b> | <b>4,721,071</b>   | <b>0.00</b> | <b>4,721,071</b>   | <b>0.00</b> | <b>4,721,071</b>   | <b>0.00</b> |
| <b>GRAND TOTAL</b>                     | <b>\$4,720,922</b> | <b>0.00</b> | <b>\$4,721,071</b> | <b>0.00</b> | <b>\$4,721,071</b> | <b>0.00</b> | <b>\$4,721,071</b> | <b>0.00</b> |
| GENERAL REVENUE                        | \$4,720,922        | 0.00        | \$4,721,071        | 0.00        | \$4,721,071        | 0.00        | \$4,721,071        | 0.00        |
| FEDERAL FUNDS                          | \$0                | 0.00        | \$0                | 0.00        | \$0                | 0.00        | \$0                | 0.00        |
| OTHER FUNDS                            | \$0                | 0.00        | \$0                | 0.00        | \$0                | 0.00        | \$0                | 0.00        |

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM SUMMARY**
**Budget Unit**

| Decision Item<br>Budget Object Summary<br>Fund  | FY 2018<br>ACTUAL<br>DOLLAR | FY 2018<br>ACTUAL<br>FTE | FY 2019<br>BUDGET<br>DOLLAR | FY 2019<br>BUDGET<br>FTE | FY 2020<br>DEPT REQ<br>DOLLAR | FY 2020<br>DEPT REQ<br>FTE | FY 2020<br>GOV REC<br>DOLLAR | FY 2020<br>GOV REC<br>FTE |
|---|-----------------------------|--------------------------|-----------------------------|--------------------------|-------------------------------|----------------------------|------------------------------|---------------------------|
| <b>LEGAL DEFENSE &amp; DEFENDER FUND</b>        |                             |                          |                             |                          |                               |                            |                              |                           |
| <b>CORE</b>                                     |                             |                          |                             |                          |                               |                            |                              |                           |
| PERSONAL SERVICES                               |                             |                          |                             |                          |                               |                            |                              |                           |
| LEGAL DEFENSE AND DEFENDER                      | 135,088                     | 1.79                     | 136,012                     | 2.00                     | 136,012                       | 2.00                       | 136,012                      | 2.00                      |
| TOTAL - PS                                      | 135,088                     | 1.79                     | 136,012                     | 2.00                     | 136,012                       | 2.00                       | 136,012                      | 2.00                      |
| EXPENSE & EQUIPMENT                             |                             |                          |                             |                          |                               |                            |                              |                           |
| LEGAL DEFENSE AND DEFENDER                      | 1,052,739                   | 0.00                     | 2,600,756                   | 0.00                     | 2,600,756                     | 0.00                       | 2,600,756                    | 0.00                      |
| TOTAL - EE                                      | 1,052,739                   | 0.00                     | 2,600,756                   | 0.00                     | 2,600,756                     | 0.00                       | 2,600,756                    | 0.00                      |
| PROGRAM-SPECIFIC                                |                             |                          |                             |                          |                               |                            |                              |                           |
| LEGAL DEFENSE AND DEFENDER                      | 247,375                     | 0.00                     | 250,000                     | 0.00                     | 250,000                       | 0.00                       | 250,000                      | 0.00                      |
| TOTAL - PD                                      | 247,375                     | 0.00                     | 250,000                     | 0.00                     | 250,000                       | 0.00                       | 250,000                      | 0.00                      |
| <b>TOTAL</b>                                    | <b>1,435,202</b>            | <b>1.79</b>              | <b>2,986,768</b>            | <b>2.00</b>              | <b>2,986,768</b>              | <b>2.00</b>                | <b>2,986,768</b>             | <b>2.00</b>               |
| <b>Pay Plan - 0000012</b>                       |                             |                          |                             |                          |                               |                            |                              |                           |
| PERSONAL SERVICES                               |                             |                          |                             |                          |                               |                            |                              |                           |
| LEGAL DEFENSE AND DEFENDER                      | 0                           | 0.00                     | 0                           | 0.00                     | 0                             | 0.00                       | 2,053                        | 0.00                      |
| TOTAL - PS                                      | 0                           | 0.00                     | 0                           | 0.00                     | 0                             | 0.00                       | 2,053                        | 0.00                      |
| <b>TOTAL</b>                                    | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                      | <b>0.00</b>                | <b>2,053</b>                 | <b>0.00</b>               |
| <b>Pay Plan FY19-Cost to Continue - 0000013</b> |                             |                          |                             |                          |                               |                            |                              |                           |
| PERSONAL SERVICES                               |                             |                          |                             |                          |                               |                            |                              |                           |
| LEGAL DEFENSE AND DEFENDER                      | 0                           | 0.00                     | 0                           | 0.00                     | 825                           | 0.00                       | 825                          | 0.00                      |
| TOTAL - PS                                      | 0                           | 0.00                     | 0                           | 0.00                     | 825                           | 0.00                       | 825                          | 0.00                      |
| <b>TOTAL</b>                                    | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>825</b>                    | <b>0.00</b>                | <b>825</b>                   | <b>0.00</b>               |
| <b>GRAND TOTAL</b>                              | <b>\$1,435,202</b>          | <b>1.79</b>              | <b>\$2,986,768</b>          | <b>2.00</b>              | <b>\$2,987,593</b>            | <b>2.00</b>                | <b>\$2,989,646</b>           | <b>2.00</b>               |

## CORE DECISION ITEM

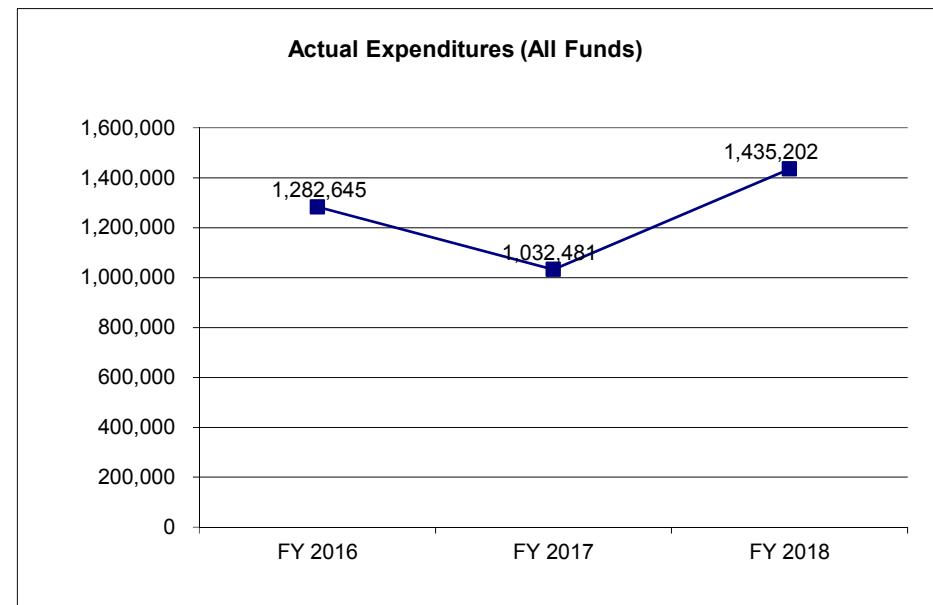
| Department: <b>Office of the State Public Defender</b>  | Budget Unit <b>15141C</b>   |                |                  |                  |   |                    |             |                |                  |                  |          |
|---|-----------------------------|----------------|------------------|------------------|---|--------------------|-------------|----------------|------------------|------------------|----------|
| Division: <b>Public Defender</b>  |                             |                |                  |                  |   |                    |             |                |                  |                  |          |
| Core: <b>Legal Defense &amp; Defender Fund</b>  | HB Section <b>HB 12.400</b> |                |                  |                  |   |                    |             |                |                  |                  |          |
| <b>1. CORE FINANCIAL SUMMARY</b>  |                             |                |                  |                  |   |                    |             |                |                  |                  |          |
| <b>FY 2020 Budget Request</b>   |                             |                |                  |                  | <b>FY 2020 Governor's Recommendation</b>  |                    |             |                |                  |                  |          |
|   | <b>GR</b>                   | <b>Federal</b> | <b>Other</b>     | <b>Total</b>     | <b>E</b>  |                    | <b>GR</b>   | <b>Federal</b> | <b>Other</b>     | <b>Total</b>     | <b>E</b> |
| <b>PS</b>   | 0                           | 0              | 136,012          | 136,012          |   | <b>PS</b>          | 0           | 0              | 136,012          | 136,012          |          |
| <b>EE</b>   | 0                           | 0              | 2,850,756        | 2,850,756        |   | <b>EE</b>          | 0           | 0              | 2,850,756        | 2,850,756        |          |
| <b>PSD</b>  | 0                           | 0              | 0                | 0                |   | <b>PSD</b>         | 0           | 0              | 0                | 0                |          |
| <b>TRF</b>  | 0                           | 0              | 0                | 0                |   | <b>TRF</b>         | 0           | 0              | 0                | 0                |          |
| <b>Total</b>  | <b>0</b>                    | <b>0</b>       | <b>2,986,768</b> | <b>2,986,768</b> |   | <b>Total</b>       | <b>0</b>    | <b>0</b>       | <b>2,986,768</b> | <b>2,986,768</b> |          |
| <b>FTE</b>  | <b>0.00</b>                 | <b>0.00</b>    | <b>0.00</b>      | <b>0.00</b>      |   | <b>FTE</b>         | <b>0.00</b> | <b>0.00</b>    | <b>0.00</b>      | <b>0.00</b>      |          |
| <b>Est. Fringe</b>  | 0                           | 0              | 41,443           | 41,443           |   | <b>Est. Fringe</b> | 0           | 0              | 41,443           | 41,443           |          |
| Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.   |                             |                |                  |                  | Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation. |                    |             |                |                  |                  |          |
| Other Funds: Legal Defense and Defender Fund  |                             |                |                  |                  | Other Funds:  |                    |             |                |                  |                  |          |
| <b>2. CORE DESCRIPTION</b>  |                             |                |                  |                  |   |                    |             |                |                  |                  |          |
| <p>As laws continue to change and turnover of Missouri State Public Defender's staff is significant, training of public defenders and their staff becomes even more critical. The funds in this appropriation are collected from the indigent accused and by statute are used at the discretion of the Director of the State Public Defender System for the operation of the department, including, but not limited to, training, Missouri Bar Dues, legal research, one-time equipment purchases, office moves and other critical needs.</p> |                             |                |                  |                  |   |                    |             |                |                  |                  |          |
| <b>3. PROGRAM LISTING (list programs included in this core funding)</b>   |                             |                |                  |                  |   |                    |             |                |                  |                  |          |
| <p>There are no separate programs within this appropriation. Dollars collected from Public Defender Clients are utilized to assist in funding the Missouri State Public Defender System.</p>  |                             |                |                  |                  |   |                    |             |                |                  |                  |          |

## CORE DECISION ITEM

|  |                    |           |
|--|--------------------|-----------|
| <b>Department:</b> Office of the State Public Defender | <b>Budget Unit</b> | 15141C    |
| <b>Division:</b> Public Defender                       |                    |           |
| <b>Core:</b> Legal Defense & Defender Fund             | <b>HB Section</b>  | HB 12.400 |

### 4. FINANCIAL HISTORY

|                                 | FY 2016<br>Actual | FY 2017<br>Actual | FY 2018<br>Actual | FY 2019<br>Current Yr. |
|---------------------------------|-------------------|-------------------|-------------------|------------------------|
| Appropriation (All Funds)       | 2,983,293         | 2,985,943         | 2,985,943         | 2,986,768              |
| Less Reverted (All Funds)       | 0                 | 0                 | 0                 | 0                      |
| Less Restricted (All Funds)*    | 0                 | 0                 | 0                 | 0                      |
| Budget Authority (All Funds)    | 2,983,293         | 2,985,943         | 2,985,943         | 2,986,768              |
| Actual Expenditures (All Funds) | 1,282,645         | 1,032,481         | 1,435,202         | N/A                    |
| Unexpended (All Funds)          | 1,700,648         | 1,953,462         | 1,550,741         | 0                      |
| Unexpended, by Fund:            |                   |                   |                   |                        |
| General Revenue                 | 0                 | 0                 | 0                 | N/A                    |
| Federal                         | 0                 | 0                 | 0                 | N/A                    |
| Other                           | 0                 | 0                 | 0                 | N/A                    |



\*Restricted amount is \$0 as of September 17, 2018

Reverted includes the statutory three-percent reserve amount (when applicable).

Restricted includes any Governor's Expenditure Restrictions which remained at the end of the fiscal year (when applicable).

#### NOTES:

The Appropriation is the requested spending authority should collections of fees collected from Missouri State Public Defender Clients reach the limit.

In addition to the actual expenditures, transfer of funds occur between the Office of Administration and the Public Defender for employee fringe benefits and the Central Services Cost Allocation Plan (CSCAP). In Fiscal Year 2018, MSPD's share of the CSCAP was \$14,071.

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM DETAIL**

| Budget Unit                              | FY 2018            | FY 2018     | FY 2019            | FY 2019     | FY 2020            | FY 2020     | FY 2020            | FY 2020     |
|--|--------------------|-------------|--------------------|-------------|--------------------|-------------|--------------------|-------------|
| Decision Item                            | ACTUAL             | ACTUAL      | BUDGET             | BUDGET      | DEPT REQ           | DEPT REQ    | GOV REC            | GOV REC     |
| Budget Object Class                      | DOLLAR             | FTE         | DOLLAR             | FTE         | DOLLAR             | FTE         | DOLLAR             | FTE         |
| <b>LEGAL DEFENSE &amp; DEFENDER FUND</b> |                    |             |                    |             |                    |             |                    |             |
| <b>CORE</b>                              |                    |             |                    |             |                    |             |                    |             |
| DIVISION DIRECTOR                        | 96,911             | 0.96        | 95,460             | 1.00        | 95,460             | 1.00        | 95,460             | 1.00        |
| PROGRAM TECHNICIAN                       | 38,177             | 0.83        | 40,552             | 1.00        | 40,552             | 1.00        | 40,552             | 1.00        |
| <b>TOTAL - PS</b>                        | <b>135,088</b>     | <b>1.79</b> | <b>136,012</b>     | <b>2.00</b> | <b>136,012</b>     | <b>2.00</b> | <b>136,012</b>     | <b>2.00</b> |
| TRAVEL, IN-STATE                         | 406,556            | 0.00        | 800,000            | 0.00        | 784,000            | 0.00        | 784,000            | 0.00        |
| TRAVEL, OUT-OF-STATE                     | 72,427             | 0.00        | 75,000             | 0.00        | 75,000             | 0.00        | 75,000             | 0.00        |
| SUPPLIES                                 | 19,208             | 0.00        | 35,000             | 0.00        | 35,000             | 0.00        | 35,000             | 0.00        |
| PROFESSIONAL DEVELOPMENT                 | 60,426             | 0.00        | 185,000            | 0.00        | 185,000            | 0.00        | 185,000            | 0.00        |
| COMMUNICATION SERV & SUPP                | 0                  | 0.00        | 160,000            | 0.00        | 160,000            | 0.00        | 160,000            | 0.00        |
| PROFESSIONAL SERVICES                    | 5,505              | 0.00        | 125,000            | 0.00        | 125,000            | 0.00        | 125,000            | 0.00        |
| M&R SERVICES                             | 208,092            | 0.00        | 375,000            | 0.00        | 375,000            | 0.00        | 375,000            | 0.00        |
| COMPUTER EQUIPMENT                       | 83,556             | 0.00        | 320,756            | 0.00        | 320,756            | 0.00        | 320,756            | 0.00        |
| MOTORIZED EQUIPMENT                      | 13,335             | 0.00        | 0                  | 0.00        | 25,000             | 0.00        | 25,000             | 0.00        |
| OFFICE EQUIPMENT                         | 2,068              | 0.00        | 195,000            | 0.00        | 195,000            | 0.00        | 195,000            | 0.00        |
| OTHER EQUIPMENT                          | 0                  | 0.00        | 75,000             | 0.00        | 75,000             | 0.00        | 75,000             | 0.00        |
| BUILDING LEASE PAYMENTS                  | 0                  | 0.00        | 10,000             | 0.00        | 1,000              | 0.00        | 1,000              | 0.00        |
| EQUIPMENT RENTALS & LEASES               | 41,366             | 0.00        | 45,000             | 0.00        | 45,000             | 0.00        | 45,000             | 0.00        |
| MISCELLANEOUS EXPENSES                   | 140,200            | 0.00        | 200,000            | 0.00        | 200,000            | 0.00        | 200,000            | 0.00        |
| <b>TOTAL - EE</b>                        | <b>1,052,739</b>   | <b>0.00</b> | <b>2,600,756</b>   | <b>0.00</b> | <b>2,600,756</b>   | <b>0.00</b> | <b>2,600,756</b>   | <b>0.00</b> |
| REFUNDS                                  | 247,375            | 0.00        | 250,000            | 0.00        | 250,000            | 0.00        | 250,000            | 0.00        |
| <b>TOTAL - PD</b>                        | <b>247,375</b>     | <b>0.00</b> | <b>250,000</b>     | <b>0.00</b> | <b>250,000</b>     | <b>0.00</b> | <b>250,000</b>     | <b>0.00</b> |
| <b>GRAND TOTAL</b>                       | <b>\$1,435,202</b> | <b>1.79</b> | <b>\$2,986,768</b> | <b>2.00</b> | <b>\$2,986,768</b> | <b>2.00</b> | <b>\$2,986,768</b> | <b>2.00</b> |
| GENERAL REVENUE                          | \$0                | 0.00        | \$0                | 0.00        | \$0                | 0.00        | \$0                | 0.00        |
| FEDERAL FUNDS                            | \$0                | 0.00        | \$0                | 0.00        | \$0                | 0.00        | \$0                | 0.00        |
| OTHER FUNDS                              | \$1,435,202        | 1.79        | \$2,986,768        | 2.00        | \$2,986,768        | 2.00        | \$2,986,768        | 2.00        |

**STATE OF MISSOURI**  
**FUND FINANCIAL SUMMARY**

DEPARTMENT: Office of the State Public Defender  
 FUND NAME: Legal Defense & Defender Fund  
 FUND NUMBER: 0670

|   |                |  |   |
|---|----------------|--|---|
| <input checked="" type="checkbox"/> Statutory | RSMo 600.090.6 | <input checked="" type="checkbox"/> Federal Fund               | <input type="checkbox"/> Subject To Biennial Sweeps |
| <input type="checkbox"/> Constitutional       |                | <input checked="" type="checkbox"/> Administratively Created   | <input type="checkbox"/> Subject to Other Sweeps    |
|   |                | <input checked="" type="checkbox"/> Interest Deposited To Fund |   |

| FUND OPERATIONS                        | FY 2018<br>ADJUSTED<br>APPROP | FY 2018<br>ACTUAL<br>SPENDING | FY 2019<br>ADJUSTED<br>APPROP | FY 2020<br>REQUESTED |
|--|-------------------------------|-------------------------------|-------------------------------|----------------------|
| BEGINNING CASH BALANCE                 | 466,825                       | 466,825                       | 673,039                       | 250,000              |
| RECEIPTS:                              |                               |                               |                               |                      |
| REVENUE (Cash Basis: July 1 - June 30) | 514,512                       | 514,512                       | 508,100                       | 520,000              |
| TRANSFERS IN                           | 1,200,000                     | 1,200,000                     | 1,700,000                     | 1,700,000            |
| TOTAL RECEIPTS                         | <u>1,714,512</u>              | <u>1,714,512</u>              | <u>2,208,100</u>              | <u>2,220,000</u>     |
| TOTAL RESOURCES AVAILABLE              | <u>2,181,337</u>              | <u>2,181,337</u>              | <u>2,881,139</u>              | <u>2,470,000</u>     |
| APPROPRIATIONS (INCLUDES REAPPROPS):   |                               |                               |                               |                      |
| OPERATING APPROPNS                     | 2,985,943                     | 1,435,202                     | 2,986,768                     | 2,987,593            |
| TRANSFER APPROPNS                      | 0                             | 73,096                        | 74,300                        | 74,300               |
| CAPITAL IMPROVEMENTS APPROPNS          | 0                             | 0                             | 0                             | 0                    |
| TOTAL APPROPRIATIONS                   | <u>2,985,943</u>              | <u>1,508,298</u>              | <u>3,061,068</u>              | <u>3,061,893</u>     |
| <b>BUDGET BALANCE</b>                  | <b>(804,606)</b>              | <b>673,039</b>                | <b>(179,929)</b>              | <b>(591,893)</b>     |
| UNEXPENDED APPROPRIATION *             | 1,477,645                     | 0                             | 429,929                       | 841,893              |
| OTHER ADJUSTMENTS                      | 0                             | 0                             | 0                             | 0                    |
| <b>ENDING CASH BALANCE</b>             | <b>673,039</b>                | <b>673,039</b>                | <b>250,000</b>                | <b>250,000</b>       |
| <b>FUND OBLIGATIONS</b>                |                               |                               |                               |                      |
| <b>ENDING CASH BALANCE</b>             | <b>673,039</b>                | <b>673,039</b>                | <b>250,000</b>                | <b>250,000</b>       |
| OTHER OBLIGATIONS                      |                               |                               |                               |                      |
| OUTSTANDING PROJECTS                   | 0                             | 0                             | 0                             | 0                    |
| CASH FLOW NEEDS                        | 0                             | 0                             | 250,000                       | 250,000              |
| TOTAL OTHER OBLIGATIONS                | <u>0</u>                      | <u>0</u>                      | <u>250,000</u>                | <u>250,000</u>       |
| <b>UNOBLIGATED CASH BALANCE</b>        | <b>673,039</b>                | <b>673,039</b>                | <b>(0)</b>                    | <b>(0)</b>           |

**REVENUE SOURCE:** Monies collected from Public Defender clients through methods including direct billing and tax refund intercepts.

**FUND PURPOSE:** Largely used for public defender and staff training. Also supplements State Public Defender operations through one-time equipment purchases, Missouri Bar dues, information technology costs, and general operation costs.

**NEW DECISION ITEM**  
**RANK: 2 OF 6**

|  |                           |                       |              |              |   |
|--|---------------------------|-----------------------|--------------|--------------|---|
| Department: <b>Office of the State Public Defender</b>   | Budget Unit <b>15111C</b> |                       |              |              |   |
| Division: <b>Legal Services</b>  |                           |                       |              |              |   |
| DI Name: <b>FY 20 Pay Plan</b>   | DI# <b>0000012</b>        |                       |              |              |   |
| HB Section <b>12.400</b>   |                           |                       |              |              |   |
| <b>1. AMOUNT OF REQUEST</b>  |                           |                       |              |              |   |
| FY 2020 Budget Request   |                           |                       |              |              |   |
|  | GR                        | Federal               | Other        | Total        | E |
| PS   | 0                         | 0                     | 0            | 0            |   |
| EE   | 0                         | 0                     | 0            | 0            |   |
| PSD  | 0                         | 0                     | 0            | 0            |   |
| TRF  | 0                         | 0                     | 0            | 0            |   |
| <b>Total</b>   | <b>0</b>                  | <b>0</b>              | <b>0</b>     | <b>0</b>     |   |
| FY 2020 Governor's Recommendation  |                           |                       |              |              |   |
|  | GR                        | Federal               | Other        | Total        | E |
| PS   | 2,053                     | 0                     | 0            | 2,053        |   |
| EE   | 0                         | 0                     | 0            | 0            |   |
| PSD  | 0                         | 0                     | 0            | 0            |   |
| TRF  | 0                         | 0                     | 0            | 0            |   |
| <b>Total</b>   | <b>2,053</b>              | <b>0</b>              | <b>0</b>     | <b>2,053</b> |   |
| FTE  | 0.00                      | 0.00                  | 0.00         | 0.00         |   |
| <b>Est. Fringe</b>   | 0                         | 0                     | 0            | 0            |   |
| Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.  |                           |                       |              |              |   |
| Other Funds:   |                           |                       | Other Funds: |              |   |
| <b>2. THIS REQUEST CAN BE CATEGORIZED AS:</b>  |                           |                       |              |              |   |
| New Legislation  | New Program               | Fund Switch           |              |              |   |
| Federal Mandate  | Program Expansion         | Cost to Continue      |              |              |   |
| GR Pick-Up   | Space Request             | Equipment Replacement |              |              |   |
| <input checked="" type="checkbox"/> Pay Plan   | Other:                    |                       |              |              |   |
| <b>3. WHY IS THIS FUNDING NEEDED? PROVIDE AN EXPLANATION FOR ITEMS CHECKED IN #2. INCLUDE THE FEDERAL OR STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS PROGRAM.</b> |                           |                       |              |              |   |
| <p>The Governor's Fiscal Year 2020 budget includes appropriation authority for a 3% pay raise for state employees beginning January 1, 2020.</p>                               |                           |                       |              |              |   |

**NEW DECISION ITEM**  
 RANK: 2 OF 6

|             |                                     |             |                   |
|-------------|-------------------------------------|-------------|-------------------|
| Department: | Office of the State Public Defender | Budget Unit | 15111C            |
| Division:   | Legal Services                      |             |                   |
| DI Name:    | FY 20 Pay Plan                      | DI# 0000012 | HB Section 12.400 |

**4. DESCRIBE THE DETAILED ASSUMPTIONS USED TO DERIVE THE SPECIFIC REQUESTED AMOUNT. (How did you determine that the requested number of FTE were appropriate? From what source or standard did you derive the requested levels of funding? Were alternatives such as outsourcing or automation considered? If based on new legislation, does request tie to TAFF fiscal note? If not, explain why. Detail which portions of the request are one-times and how those amounts were calculated.)**

The appropriated amount for the Fiscal Year 20 pay plan was based on personal service appropriations.

**5. BREAK DOWN THE REQUEST BY BUDGET OBJECT CLASS, JOB CLASS, AND FUND SOURCE. IDENTIFY ONE-TIME COSTS.**

| Budget Object Class/Job Class | Gov Rec      | Gov Rec    | Gov Rec  | Gov Rec    | Gov Rec  | Gov Rec    | Gov Rec      | Gov Rec    | Gov Rec   |
|-------------------------------|--------------|------------|----------|------------|----------|------------|--------------|------------|-----------|
|                               | GR           | GR         | FED      | FED        | OTHER    | OTHER      | TOTAL        | TOTAL      | One-Time  |
|                               | DOLLARS      | FTE        | DOLLARS  | FTE        | DOLLARS  | FTE        | DOLLARS      | FTE        | DOLLARS E |
| C00550 Division Director      | 1,439        |            |          |            |          |            | 1,439        |            |           |
| C00560 Program Technician     |              | 614        |          |            |          |            | 614          |            |           |
| Total PS                      | 2,053        | 0.0        | 0        | 0.0        | 0        | 0.0        | 2,053        | 0.0        | 0         |
| Grand Total                   | <u>2,053</u> | <u>0.0</u> | <u>0</u> | <u>0.0</u> | <u>0</u> | <u>0.0</u> | <u>2,053</u> | <u>0.0</u> | <u>0</u>  |

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM DETAIL**

| Budget Unit<br>Decision Item<br>Budget Object Class | FY 2018<br>ACTUAL<br>DOLLAR | FY 2018<br>ACTUAL<br>FTE | FY 2019<br>BUDGET<br>DOLLAR | FY 2019<br>BUDGET<br>FTE | FY 2020<br>DEPT REQ<br>DOLLAR | FY 2020<br>DEPT REQ<br>FTE | FY 2020<br>GOV REC<br>DOLLAR | FY 2020<br>GOV REC<br>FTE |
|---|-----------------------------|--------------------------|-----------------------------|--------------------------|-------------------------------|----------------------------|------------------------------|---------------------------|
| <b>LEGAL DEFENSE &amp; DEFENDER FUND</b>            |                             |                          |                             |                          |                               |                            |                              |                           |
| Pay Plan - 0000012                                  |                             |                          |                             |                          |                               |                            |                              |                           |
| DIVISION DIRECTOR                                   | 0                           | 0.00                     | 0                           | 0.00                     | 0                             | 0.00                       | 1,439                        | 0.00                      |
| PROGRAM TECHNICIAN                                  | 0                           | 0.00                     | 0                           | 0.00                     | 0                             | 0.00                       | 614                          | 0.00                      |
| <b>TOTAL - PS</b>                                   | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                      | <b>0.00</b>                | <b>2,053</b>                 | <b>0.00</b>               |
| <b>GRAND TOTAL</b>                                  | <b>\$0</b>                  | <b>0.00</b>              | <b>\$0</b>                  | <b>0.00</b>              | <b>\$0</b>                    | <b>0.00</b>                | <b>\$2,053</b>               | <b>0.00</b>               |
| GENERAL REVENUE                                     | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       | \$0                          | 0.00                      |
| FEDERAL FUNDS                                       | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       | \$0                          | 0.00                      |
| OTHER FUNDS   | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       | \$2,053                      | 0.00                      |

**NEW DECISION ITEM**  
**RANK: 2**      **OF 6**

| <b>Department:</b> Office of the State Public Defender  |                                     | <b>Budget Unit</b> 15141C |   |             |   |   |             |             |             |             |   |
|---|-------------------------------------|---------------------------|---|-------------|---|---|-------------|-------------|-------------|-------------|---|
| <b>Division:</b> Legal Defense & Defender Fund  |                                     |                           |   |             |   |   |             |             |             |             |   |
| <b>DI Name</b>  | Pay Plan - FY 2019 Cost to Continue | <b>DI#</b> 0000013        | <b>HB Section</b> 12.400  |             |   |   |             |             |             |             |   |
| <b>1. AMOUNT OF REQUEST</b>   |                                     |                           |   |             |   |   |             |             |             |             |   |
| <b>FY 2020 Budget Request</b>   |                                     |                           |   |             | <b>FY 2020 Governor's Recommendation</b>  |   |             |             |             |             |   |
|   | GR                                  | Federal                   | Other   | Total       | E   |   | GR          | Federal     | Other       | Total       | E |
| PS  | 0                                   | 0                         | 825   | 825         |   | PS  | 0           | 0           | 825         | 825         |   |
| EE  | 0                                   | 0                         | 0   | 0           |   | EE  | 0           | 0           | 0           | 0           |   |
| PSD   | 0                                   | 0                         | 0   | 0           |   | PSD   | 0           | 0           | 0           | 0           |   |
| TRF   | 0                                   | 0                         | 0   | 0           |   | TRF   | 0           | 0           | 0           | 0           |   |
| <b>Total</b>  | <b>0</b>                            | <b>0</b>                  | <b>825</b>  | <b>825</b>  |   | <b>Total</b>  | <b>0</b>    | <b>0</b>    | <b>825</b>  | <b>825</b>  |   |
| <b>FTE</b>  | <b>0.00</b>                         | <b>0.00</b>               | <b>0.00</b>   | <b>0.00</b> |   | <b>FTE</b>  | <b>0.00</b> | <b>0.00</b> | <b>0.00</b> | <b>0.00</b> |   |
| <b>Est. Fringe</b>  | 0                                   | 0                         | 251   | 251         |   | <b>Est. Fringe</b>  | 0           | 0           | 251         | 251         |   |
| Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.   |                                     |                           |   |             | Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation. |   |             |             |             |             |   |
| Other Funds:  |                                     |                           |   |             | Other Funds:  |   |             |             |             |             |   |
| <b>2. THIS REQUEST CAN BE CATEGORIZED AS:</b>   |                                     |                           |   |             |   |   |             |             |             |             |   |
| <input type="checkbox"/> New Legislation<br><input type="checkbox"/> Federal Mandate<br><input type="checkbox"/> GR Pick-Up<br><input checked="" type="checkbox"/> Pay Plan   |                                     |                           | <input type="checkbox"/> New Program<br><input type="checkbox"/> Program Expansion<br><input type="checkbox"/> Space Request<br><input type="checkbox"/> Other: |             |   | <input type="checkbox"/> Fund Switch<br><input type="checkbox"/> Cost to Continue<br><input type="checkbox"/> Equipment Replacement |             |             |             |             |   |
| <b>3. WHY IS THIS FUNDING NEEDED? PROVIDE AN EXPLANATION FOR ITEMS CHECKED IN #2. INCLUDE THE FEDERAL OR STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS PROGRAM.</b>  |                                     |                           |   |             |   |   |             |             |             |             |   |
| <p>The FY 2019 budget includes appropriation authority for a \$700 pay increase for employees making under \$70,000 and a 1% pay increase for employees making over \$70,000 beginning January 1, 2019. The remaining six months were unfunded, but the stated intent of the legislature was to provide the funding in FY 2020.</p> |                                     |                           |   |             |   |   |             |             |             |             |   |

**NEW DECISION ITEM**  
**RANK: 2 OF 6**

|   |                           |
|---|---------------------------|
| Department: Office of the State Public Defender         | Budget Unit <u>15141C</u> |
| Division: Legal Defense & Defender Fund                 |                           |
| DI Name Pay Plan - FY 2019 Cost to Continue DI# 0000013 | HB Section <u>12.400</u>  |

**4. DESCRIBE THE DETAILED ASSUMPTIONS USED TO DERIVE THE SPECIFIC REQUESTED AMOUNT. (How did you determine that the requested number of FTE were appropriate? From what source or standard did you derive the requested levels of funding? Were alternatives such as outsourcing or automation considered? If based on new legislation, does request tie to TAFF fiscal note? If not, explain why. Detail which portions of the request are one-times and how those amounts were calculated.)**

The appropriated amount for the Fiscal Year 2019 pay plan was based on a \$700 pay increase for employees making under \$70,000 and a 1% pay increase for employees making over \$70,000 beginning January 1, 2019. The Fiscal Year 2020 requested amount is equivalent to the remaining six months in order to provide the core funding necessary for a full fiscal year.

**5. BREAK DOWN THE REQUEST BY BUDGET OBJECT CLASS, JOB CLASS, AND FUND SOURCE. IDENTIFY ONE-TIME COSTS.**

| Budget Object Class/Job Class | Dept Req<br>GR<br>DOLLARS | Dept Req<br>GR<br>FTE | Dept Req<br>FED<br>DOLLARS | Dept Req<br>FED<br>FTE | Dept Req<br>OTHER<br>DOLLARS | Dept Req<br>OTHER<br>FTE | Dept Req<br>TOTAL<br>DOLLARS | Dept Req<br>TOTAL<br>FTE | Dept Req<br>One-Time<br>DOLLARS | Dept Req<br>E |
|-------------------------------|---------------------------|-----------------------|----------------------------|------------------------|------------------------------|--------------------------|------------------------------|--------------------------|---------------------------------|---------------|
|                               |                           |                       |                            |                        |                              |                          |                              |                          |                                 |               |
| C00550 Division Director      |                           |                       |                            |                        | 475                          |                          | 475                          |                          |                                 |               |
| C00560 Program Technician     |                           |                       |                            |                        | 350                          |                          | 350                          |                          | 0.0                             |               |
| <b>Total PS</b>               | <b>0</b>                  | <b>0.0</b>            | <b>0</b>                   | <b>0.0</b>             | <b>825</b>                   | <b>0.0</b>               | <b>825</b>                   | <b>0.0</b>               | <b>0</b>                        |               |
| <b>Grand Total</b>            | <b>0</b>                  | <b>0.0</b>            | <b>0</b>                   | <b>0.0</b>             | <b>825</b>                   | <b>0.0</b>               | <b>825</b>                   | <b>0.0</b>               | <b>0</b>                        |               |

| Budget Object Class/Job Class | Gov Rec<br>GR<br>DOLLARS | Gov Rec<br>GR<br>FTE | Gov Rec<br>FED<br>DOLLARS | Gov Rec<br>FED<br>FTE | Gov Rec<br>OTHER<br>DOLLARS | Gov Rec<br>OTHER<br>FTE | Gov Rec<br>TOTAL<br>DOLLARS | Gov Rec<br>TOTAL<br>FTE | Gov Rec<br>One-Time<br>DOLLARS | Gov Rec<br>E |
|-------------------------------|--------------------------|----------------------|---------------------------|-----------------------|-----------------------------|-------------------------|-----------------------------|-------------------------|--------------------------------|--------------|
|                               |                          |                      |                           |                       |                             |                         |                             |                         |                                |              |
| 100-Salaries and Wages        |                          |                      |                           |                       | 825                         |                         | 825                         |                         | 0.0                            |              |
| <b>Total PS</b>               | <b>0</b>                 | <b>0.0</b>           | <b>0</b>                  | <b>0.0</b>            | <b>825</b>                  | <b>0.0</b>              | <b>825</b>                  | <b>0.0</b>              | <b>0</b>                       |              |
| <b>Grand Total</b>            | <b>0</b>                 | <b>0.0</b>           | <b>0</b>                  | <b>0.0</b>            | <b>825</b>                  | <b>0.0</b>              | <b>825</b>                  | <b>0.0</b>              | <b>0</b>                       |              |

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM DETAIL**

| Budget Unit<br>Decision Item<br>Budget Object Class | FY 2018<br>ACTUAL<br>DOLLAR | FY 2018<br>ACTUAL<br>FTE | FY 2019<br>BUDGET<br>DOLLAR | FY 2019<br>BUDGET<br>FTE | FY 2020<br>DEPT REQ<br>DOLLAR | FY 2020<br>DEPT REQ<br>FTE | FY 2020<br>GOV REC<br>DOLLAR | FY 2020<br>GOV REC<br>FTE |
|---|-----------------------------|--------------------------|-----------------------------|--------------------------|-------------------------------|----------------------------|------------------------------|---------------------------|
| <b>LEGAL DEFENSE &amp; DEFENDER FUND</b>            |                             |                          |                             |                          |                               |                            |                              |                           |
| Pay Plan FY19-Cost to Continue - 0000013            |                             |                          |                             |                          |                               |                            |                              |                           |
| DIVISION DIRECTOR                                   | 0                           | 0.00                     | 0                           | 0.00                     | 475                           | 0.00                       | 475                          | 0.00                      |
| PROGRAM TECHNICIAN                                  | 0                           | 0.00                     | 0                           | 0.00                     | 350                           | 0.00                       | 350                          | 0.00                      |
| <b>TOTAL - PS</b>                                   | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>825</b>                    | <b>0.00</b>                | <b>825</b>                   | <b>0.00</b>               |
| <b>GRAND TOTAL</b>                                  | <b>\$0</b>                  | <b>0.00</b>              | <b>\$0</b>                  | <b>0.00</b>              | <b>\$825</b>                  | <b>0.00</b>                | <b>\$825</b>                 | <b>0.00</b>               |
| GENERAL REVENUE                                     | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       | \$0                          | 0.00                      |
| FEDERAL FUNDS                                       | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       | \$0                          | 0.00                      |
| OTHER FUNDS   | \$0                         | 0.00                     | \$0                         | 0.00                     | \$825                         | 0.00                       | \$825                        | 0.00                      |

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM SUMMARY**
**Budget Unit**

| Decision Item<br>Budget Object Summary<br>Fund  | FY 2018<br>ACTUAL<br>DOLLAR | FY 2018<br>ACTUAL<br>FTE | FY 2019<br>BUDGET<br>DOLLAR | FY 2019<br>BUDGET<br>FTE | FY 2020<br>DEPT REQ<br>DOLLAR | FY 2020<br>DEPT REQ<br>FTE | FY 2020<br>GOV REC<br>DOLLAR | FY 2020<br>GOV REC<br>FTE |
|---|-----------------------------|--------------------------|-----------------------------|--------------------------|-------------------------------|----------------------------|------------------------------|---------------------------|
| <b>DEBT OFFSET ESCROW FUND</b>                  |                             |                          |                             |                          |                               |                            |                              |                           |
| <b>CORE</b>                                     |                             |                          |                             |                          |                               |                            |                              |                           |
| <b>FUND TRANSFERS</b>                           |                             |                          |                             |                          |                               |                            |                              |                           |
| DEBT OFFSET ESCROW                              | 1,200,000                   | 0.00                     | 1,200,000                   | 0.00                     | 1,200,000                     | 0.00                       | 1,200,000                    | 0.00                      |
| TOTAL - TRF                                     | 1,200,000                   | 0.00                     | 1,200,000                   | 0.00                     | 1,200,000                     | 0.00                       | 1,200,000                    | 0.00                      |
| <b>TOTAL</b>                                    | <b>1,200,000</b>            | <b>0.00</b>              | <b>1,200,000</b>            | <b>0.00</b>              | <b>1,200,000</b>              | <b>0.00</b>                | <b>1,200,000</b>             | <b>0.00</b>               |
| <b>Debt Offset Transfer Authority - 1151003</b> |                             |                          |                             |                          |                               |                            |                              |                           |
| <b>FUND TRANSFERS</b>                           |                             |                          |                             |                          |                               |                            |                              |                           |
| DEBT OFFSET ESCROW                              | 0                           | 0.00                     | 0                           | 0.00                     | 500,000                       | 0.00                       | 500,000                      | 0.00                      |
| TOTAL - TRF                                     | 0                           | 0.00                     | 0                           | 0.00                     | 500,000                       | 0.00                       | 500,000                      | 0.00                      |
| <b>TOTAL</b>                                    | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>500,000</b>                | <b>0.00</b>                | <b>500,000</b>               | <b>0.00</b>               |
| <b>GRAND TOTAL</b>                              | <b>\$1,200,000</b>          | <b>0.00</b>              | <b>\$1,200,000</b>          | <b>0.00</b>              | <b>\$1,700,000</b>            | <b>0.00</b>                | <b>\$1,700,000</b>           | <b>0.00</b>               |

## CORE DECISION ITEM

| <b>Department:</b> Office of the State Public Defender  | <b>Budget Unit</b> | 1512005                           |                  |                  |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
|---|--------------------|-----------------------------------|------------------|------------------|------|------|--|--|----|---------|-------|-------|---|----|---|---|---|---|--|----|---|---|---|---|--|-----|---|---|---|---|--|-----|---|---|-----------|-----------|--|--------------|----------|----------|------------------|------------------|--|--|
| <b>Division:</b> Public Defender  |                    |                                   |                  |                  |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| <b>Core:</b> Debt Offset Escrow Fund  | <b>HB Section</b>  | HB 12.400                         |                  |                  |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| <b>1. CORE FINANCIAL SUMMARY</b>  |                    |                                   |                  |                  |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="6" style="text-align: left; font-weight: bold;">FY 2020 Budget Request</th> </tr> <tr> <th></th> <th>GR</th> <th>Federal</th> <th>Other</th> <th>Total</th> <th>E</th> </tr> </thead> <tbody> <tr> <td>PS</td><td>0</td><td>0</td><td>0</td><td>0</td><td></td></tr> <tr> <td>EE</td><td>0</td><td>0</td><td>0</td><td>0</td><td></td></tr> <tr> <td>PSD</td><td>0</td><td>0</td><td>0</td><td>0</td><td></td></tr> <tr> <td>TRF</td><td>0</td><td>0</td><td>1,200,000</td><td>1,200,000</td><td></td></tr> <tr> <td><b>Total</b></td><td><b>0</b></td><td><b>0</b></td><td><b>1,200,000</b></td><td><b>1,200,000</b></td><td></td></tr> </tbody> </table>            |                    | FY 2020 Budget Request            |                  |                  |      |      |  |  | GR | Federal | Other | Total | E | PS | 0 | 0 | 0 | 0 |  | EE | 0 | 0 | 0 | 0 |  | PSD | 0 | 0 | 0 | 0 |  | TRF | 0 | 0 | 1,200,000 | 1,200,000 |  | <b>Total</b> | <b>0</b> | <b>0</b> | <b>1,200,000</b> | <b>1,200,000</b> |  |  |
| FY 2020 Budget Request  |                    |                                   |                  |                  |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
|   | GR                 | Federal                           | Other            | Total            | E    |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| PS  | 0                  | 0                                 | 0                | 0                |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| EE  | 0                  | 0                                 | 0                | 0                |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| PSD   | 0                  | 0                                 | 0                | 0                |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| TRF   | 0                  | 0                                 | 1,200,000        | 1,200,000        |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| <b>Total</b>  | <b>0</b>           | <b>0</b>                          | <b>1,200,000</b> | <b>1,200,000</b> |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="6" style="text-align: left; font-weight: bold;">FY 2020 Governor's Recommendation</th> </tr> <tr> <th></th> <th>GR</th> <th>Federal</th> <th>Other</th> <th>Total</th> <th>E</th> </tr> </thead> <tbody> <tr> <td>PS</td><td>0</td><td>0</td><td>0</td><td>0</td><td></td></tr> <tr> <td>EE</td><td>0</td><td>0</td><td>0</td><td>0</td><td></td></tr> <tr> <td>PSD</td><td>0</td><td>0</td><td>0</td><td>0</td><td></td></tr> <tr> <td>TRF</td><td>0</td><td>0</td><td>1,200,000</td><td>1,200,000</td><td></td></tr> <tr> <td><b>Total</b></td><td><b>0</b></td><td><b>0</b></td><td><b>1,200,000</b></td><td><b>1,200,000</b></td><td></td></tr> </tbody> </table> |                    | FY 2020 Governor's Recommendation |                  |                  |      |      |  |  | GR | Federal | Other | Total | E | PS | 0 | 0 | 0 | 0 |  | EE | 0 | 0 | 0 | 0 |  | PSD | 0 | 0 | 0 | 0 |  | TRF | 0 | 0 | 1,200,000 | 1,200,000 |  | <b>Total</b> | <b>0</b> | <b>0</b> | <b>1,200,000</b> | <b>1,200,000</b> |  |  |
| FY 2020 Governor's Recommendation   |                    |                                   |                  |                  |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
|   | GR                 | Federal                           | Other            | Total            | E    |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| PS  | 0                  | 0                                 | 0                | 0                |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| EE  | 0                  | 0                                 | 0                | 0                |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| PSD   | 0                  | 0                                 | 0                | 0                |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| TRF   | 0                  | 0                                 | 1,200,000        | 1,200,000        |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| <b>Total</b>  | <b>0</b>           | <b>0</b>                          | <b>1,200,000</b> | <b>1,200,000</b> |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>FTE</th> <th>0.00</th> <th>0.00</th> <th>0.00</th> <th>0.00</th> </tr> </thead> </table>   |                    | FTE                               | 0.00             | 0.00             | 0.00 | 0.00 |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| FTE   | 0.00               | 0.00                              | 0.00             | 0.00             |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Est. Fringe</th> <th>0</th> <th>0</th> <th>0</th> <th>0</th> </tr> </thead> </table> <p>Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.</p>  |                    | Est. Fringe                       | 0                | 0                | 0    | 0    |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| Est. Fringe   | 0                  | 0                                 | 0                | 0                |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| Other Funds:  |                    | Other Funds:                      |                  |                  |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| <b>2. CORE DESCRIPTION</b>  |                    |                                   |                  |                  |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| <p>Beginning in FY1995, each department/agency participating the Department of Revenue's Debt Offset Program, was required to establish an appropriation to receive money intercepted from individual Missouri State Income Tax Refunds by the Department of Revenue on behalf of the department/agency.</p> <p>The Department of Revenue has also set up an intercept program for persons receiving Lottery winnings, in which the State Public Defender participates.</p>   |                    |                                   |                  |                  |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| <b>3. PROGRAM LISTING (list programs included in this core funding)</b>   |                    |                                   |                  |                  |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |
| <p>In Fiscal Year 2017, the Missouri State Public Defender intercepted \$1,059,487.53 of Missouri State Income Tax refunds and \$95,201.99 of Lottery winnings form past Public Defender clients who have/had outstanding debts to the State Public Defender.</p>   |                    |                                   |                  |                  |      |      |  |  |    |         |       |       |   |    |   |   |   |   |  |    |   |   |   |   |  |     |   |   |   |   |  |     |   |   |           |           |  |              |          |          |                  |                  |  |  |

## CORE DECISION ITEM

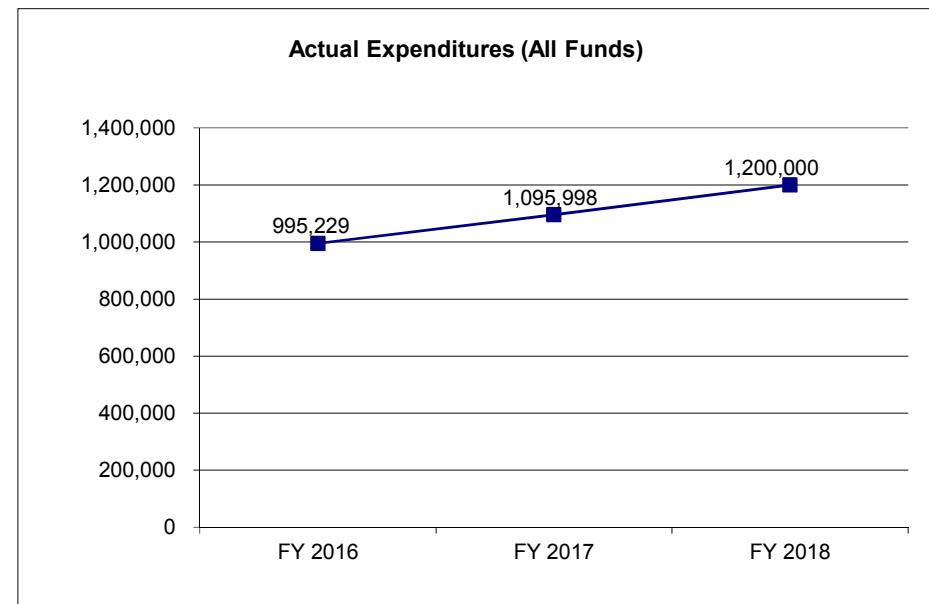
**Department:** Office of the State Public Defender  
**Division:** Public Defender  
**Core:** Debt Offset Escrow Fund

**Budget Unit** 1512005

**HB Section** HB 12.400

### 4. FINANCIAL HISTORY

|                                 | FY 2016<br>Actual | FY 2017<br>Actual | FY 2018<br>Actual | FY 2019<br>Current Yr. |
|---------------------------------|-------------------|-------------------|-------------------|------------------------|
| Appropriation (All Funds)       | 1,200,000         | 1,200,000         | 1,200,000         | 1,200,000              |
| Less Reverted (All Funds)       | 0                 | 0                 | 0                 | 0                      |
| Less Restricted (All Funds)*    | 0                 | 0                 | 0                 | 0                      |
| Budget Authority (All Funds)    | 1,200,000         | 1,200,000         | 1,200,000         | 1,200,000              |
| Actual Expenditures (All Funds) | 995,229           | 1,095,998         | 1,200,000         | N/A                    |
| Unexpended (All Funds)          | 204,771           | 104,002           | 0                 | 0                      |
| Unexpended, by Fund:            |                   |                   |                   |                        |
| General Revenue                 | 0                 | 0                 | 0                 | N/A                    |
| Federal                         | 0                 | 0                 | 0                 | N/A                    |
| Other                           | 0                 | 0                 | 0                 | N/A                    |



\*Restricted amount is as of \_\_\_\_

Reverted includes the statutory three-percent reserve amount (when applicable).

Restricted includes any Governor's Expenditure Restrictions which remained at the end of the fiscal year (when applicable).

### NOTES:

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM DETAIL**

| Budget Unit                    | FY 2018<br>ACTUAL<br>DOLLAR | FY 2018<br>ACTUAL<br>FTE | FY 2019<br>BUDGET<br>DOLLAR | FY 2019<br>BUDGET<br>FTE | FY 2020<br>DEPT REQ<br>DOLLAR | FY 2020<br>DEPT REQ<br>FTE | FY 2020<br>GOV REC<br>DOLLAR | FY 2020<br>GOV REC<br>FTE |
|--------------------------------|-----------------------------|--------------------------|-----------------------------|--------------------------|-------------------------------|----------------------------|------------------------------|---------------------------|
| <b>DEBT OFFSET ESCROW FUND</b> |                             |                          |                             |                          |                               |                            |                              |                           |
| <b>CORE</b>                    |                             |                          |                             |                          |                               |                            |                              |                           |
| TRANSFERS OUT                  | 1,200,000                   | 0.00                     | 1,200,000                   | 0.00                     | 1,200,000                     | 0.00                       | 1,200,000                    | 0.00                      |
| <b>TOTAL - TRF</b>             | <b>1,200,000</b>            | <b>0.00</b>              | <b>1,200,000</b>            | <b>0.00</b>              | <b>1,200,000</b>              | <b>0.00</b>                | <b>1,200,000</b>             | <b>0.00</b>               |
| <b>GRAND TOTAL</b>             | <b>\$1,200,000</b>          | <b>0.00</b>              | <b>\$1,200,000</b>          | <b>0.00</b>              | <b>\$1,200,000</b>            | <b>0.00</b>                | <b>\$1,200,000</b>           | <b>0.00</b>               |
| GENERAL REVENUE                | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       | \$0                          | 0.00                      |
| FEDERAL FUNDS                  | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       | \$0                          | 0.00                      |
| OTHER FUNDS                    | \$1,200,000                 | 0.00                     | \$1,200,000                 | 0.00                     | \$1,200,000                   | 0.00                       | \$1,200,000                  | 0.00                      |

| NEW DECISION ITEM  |                            |   |                |                  |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
|--|----------------------------|---|----------------|------------------|---|-------------|----------|----------|----------|----------|---|---|---|---|----|---|---|---|---|-----|---|---|---|---|-----|---|---|---------|---|--------------|----------|----------|----------------|----------|---|--|----|---------|-------|-------|---|----|---|---|---|---|----|---|---|---|---|-----|---|---|---|---|-----|---|---|---------|---------|--------------|----------|----------|----------------|----------------|
| RANK: <u>4</u>   |                            |   | OF <u>6</u>    |                  |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| Department: <u>Office of the State Public Defender</u>   | Budget Unit <u>1512005</u> |   |                |                  |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| Division: <u>Public Defender</u>   |                            |   |                |                  |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| DI Name: <u>Increase in Transfer Authority</u>   | DI# <u>1151004</u>         | HB Section <u>HB 12.400</u>                             |                |                  |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| <b>1. AMOUNT OF REQUEST</b>  |                            |   |                |                  |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| <b>FY 2020 Budget Request</b><br><table border="1"> <thead> <tr> <th>GR</th> <th>Federal</th> <th>Other</th> <th>Total</th> <th>E</th> </tr> </thead> <tbody> <tr> <td>PS</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>EE</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>PSD</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>TRF</td> <td>0</td> <td>0</td> <td>500,000</td> <td>0</td> </tr> <tr> <td><b>Total</b></td> <td><b>0</b></td> <td><b>0</b></td> <td><b>500,000</b></td> <td><b>0</b></td> </tr> </tbody> </table>   |                            |   |                |                  | GR  | Federal     | Other    | Total    | E        | PS       | 0 | 0 | 0 | 0 | EE | 0 | 0 | 0 | 0 | PSD | 0 | 0 | 0 | 0 | TRF | 0 | 0 | 500,000 | 0 | <b>Total</b> | <b>0</b> | <b>0</b> | <b>500,000</b> | <b>0</b> | <b>FY 2020 Governor's Recommendation</b><br><table border="1"> <thead> <tr> <th>GR</th> <th>Federal</th> <th>Other</th> <th>Total</th> <th>E</th> </tr> </thead> <tbody> <tr> <td>PS</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>EE</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>PSD</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>TRF</td> <td>0</td> <td>0</td> <td>500,000</td> <td>500,000</td> </tr> <tr> <td><b>Total</b></td> <td><b>0</b></td> <td><b>0</b></td> <td><b>500,000</b></td> <td><b>500,000</b></td> </tr> </tbody> </table> |  | GR | Federal | Other | Total | E | PS | 0 | 0 | 0 | 0 | EE | 0 | 0 | 0 | 0 | PSD | 0 | 0 | 0 | 0 | TRF | 0 | 0 | 500,000 | 500,000 | <b>Total</b> | <b>0</b> | <b>0</b> | <b>500,000</b> | <b>500,000</b> |
| GR   | Federal                    | Other   | Total          | E                |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| PS   | 0                          | 0   | 0              | 0                |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| EE   | 0                          | 0   | 0              | 0                |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| PSD  | 0                          | 0   | 0              | 0                |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| TRF  | 0                          | 0   | 500,000        | 0                |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| <b>Total</b>   | <b>0</b>                   | <b>0</b>  | <b>500,000</b> | <b>0</b>         |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| GR   | Federal                    | Other   | Total          | E                |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| PS   | 0                          | 0   | 0              | 0                |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| EE   | 0                          | 0   | 0              | 0                |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| PSD  | 0                          | 0   | 0              | 0                |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| TRF  | 0                          | 0   | 500,000        | 500,000          |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| <b>Total</b>   | <b>0</b>                   | <b>0</b>  | <b>500,000</b> | <b>500,000</b>   |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| FTE <b>0.00</b>  | <b>0.00</b>                | <b>0.00</b>   | <b>0.00</b>    | <b>0.00</b>      | <b>0.00</b>   | <b>0.00</b> |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| <b>Est. Fringe</b> <table border="1"> <tr> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> </table>  | 0                          | 0   | 0              | 0                | <b>0</b>  | <b>0</b>    | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| 0  | 0                          | 0   | 0              |                  |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.  |                            |   |                |                  | Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation. |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| Other Funds: Legal Defense & Defender Fund - Transfer Authority  |                            |   |                | Other Funds:     |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| <b>2. THIS REQUEST CAN BE CATEGORIZED AS:</b>  |                            |   |                |                  |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| New Legislation  | New Program                | Fund Switch   |                |                  |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| Federal Mandate  | Program Expansion          | Cost to Continue  |                |                  |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| GR Pick-Up   | Space Request              | Equipment Replacement                                   |                |                  |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| Pay Plan   | X                          | Other: <u>Increase in the Transfer Authority Amount</u> |                |                  |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| <b>3. WHY IS THIS FUNDING NEEDED? PROVIDE AN EXPLANATION FOR ITEMS CHECKED IN #2. INCLUDE THE FEDERAL OR STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS PROGRAM.</b>   |                            |   |                |                  |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| <b>Increase in Transfer Authority for the Debt Offset Transfer Appropriation</b>   |                            |   |                | <b>\$500,000</b> |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| When Public Defender fees are intercepted from prior client's Missouri State Tax refunds, the Department of Revenue places the intercepted dollars in temporary escrow fund. MSPD's FY19 appropriation (spending authority) from this fund is currently set at \$1,200,000. As the intercepts exceeded the appropriation limit in FY18 by approximately \$250,000, that \$250,000 was transferred at the beginning of FY2019. This transfer at the beginning of FY19, will cause the FY19 appropriation to be insufficient. If the collection of fees remains constant from FY18 to FY19, the insufficiency will be doubled. |                            |   |                |                  |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |
| The statutory authority for setting off debts owed to the State of Missouri against tax refunds is RSMo.143.786  |                            |   |                |                  |   |             |          |          |          |          |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |   |              |          |          |                |          |   |  |    |         |       |       |   |    |   |   |   |   |    |   |   |   |   |     |   |   |   |   |     |   |   |         |         |              |          |          |                |                |

| NEW DECISION ITEM   |                                     |                       |                            |                        |                              |                          |                              |                          |                                 |  |
|---|-------------------------------------|-----------------------|----------------------------|------------------------|------------------------------|--------------------------|------------------------------|--------------------------|---------------------------------|--|
| RANK: <u>4</u>  |                                     | OF <u>6</u>           |                            |                        |                              |                          |                              |                          |                                 |  |
| Department:   | Office of the State Public Defender |                       |                            | Budget Unit            | <u>1512005</u>               |                          |                              |                          |                                 |  |
| Division:   | Public Defender                     |                       |                            |                        |                              |                          |                              |                          |                                 |  |
| DI Name:  | Increase in Transfer Authority      | DI#                   | <u>1151004</u>             | HB Section             | <u>HB 12.400</u>             |                          |                              |                          |                                 |  |
| <b>4. DESCRIBE THE DETAILED ASSUMPTIONS USED TO DERIVE THE SPECIFIC REQUESTED AMOUNT. (How did you determine that the requested number of FTE were appropriate? From what source or standard did you derive the requested levels of funding? Were alternatives such as outsourcing or automation considered? If based on new legislation, does request tie to TAPP fiscal note? If not, explain why. Detail which portions of the request are one-times and how those amounts were calculated.)</b> |                                     |                       |                            |                        |                              |                          |                              |                          |                                 |  |
| <p>As the intercepts exceeded the appropriation limit in FY18 by approximately \$250,000, that \$250,000 was transferred at the beginning of FY2019. This transfer at the beginning of FY19, will cause the FY19 appropriation to be insufficient. If the collection of fees remains constant from FY18 to FY19, the insufficiency will be doubled.</p>   |                                     |                       |                            |                        |                              |                          |                              |                          |                                 |  |
| <b>5. BREAK DOWN THE REQUEST BY BUDGET OBJECT CLASS, JOB CLASS, AND FUND SOURCE. IDENTIFY ONE-TIME COSTS.</b>   |                                     |                       |                            |                        |                              |                          |                              |                          |                                 |  |
| Budget Object Class/Job Class   | Dept Req<br>GR<br>DOLLARS           | Dept Req<br>GR<br>FTE | Dept Req<br>FED<br>DOLLARS | Dept Req<br>FED<br>FTE | Dept Req<br>OTHER<br>DOLLARS | Dept Req<br>OTHER<br>FTE | Dept Req<br>TOTAL<br>DOLLARS | Dept Req<br>TOTAL<br>FTE | Dept Req<br>One-Time<br>DOLLARS |  |
|   | 0                                   | 0.0                   | 0                          | 0.0                    | 0                            | 0.0                      | 0                            | 0.0                      | 0                               |  |
| Total PS  |                                     |                       |                            |                        |                              |                          |                              |                          |                                 |  |
|   |                                     |                       |                            |                        |                              |                          |                              |                          |                                 |  |
| Total EE  | 0                                   |                       | 0                          |                        | 0                            |                          | 0                            |                          | 0                               |  |
| Program Distributions   |                                     |                       |                            |                        |                              |                          |                              |                          |                                 |  |
| Total PSD   | 0                                   |                       | 0                          |                        | 0                            |                          | 0                            |                          | 0                               |  |
| Transfers   |                                     |                       |                            |                        |                              |                          |                              |                          |                                 |  |
| Total TRF   | 0                                   |                       | 0                          |                        | 500,000                      |                          | 0                            |                          | 0                               |  |
| Grand Total   | 0                                   | 0.0                   | 0                          | 0.0                    | 500,000                      | 0.0                      | 0                            | 0.0                      | 0                               |  |

| NEW DECISION ITEM             |                                     |                      |                           |                       |                             |                         |                             |                         |                                  |
|-------------------------------|-------------------------------------|----------------------|---------------------------|-----------------------|-----------------------------|-------------------------|-----------------------------|-------------------------|----------------------------------|
|                               | RANK: <u>4</u>                      | OF <u>6</u>          |                           |                       |                             |                         |                             |                         |                                  |
| Department:                   | Office of the State Public Defender |                      |                           |                       | Budget Unit                 | 1512005                 |                             |                         |                                  |
| Division:                     | Public Defender                     |                      |                           |                       | HB Section                  | HB 12.400               |                             |                         |                                  |
| DI Name:                      | Increase in Transfer Authority      |                      |                           |                       | DI# 1151004                 |                         |                             |                         |                                  |
| Budget Object Class/Job Class | Gov Rec<br>GR<br>DOLLARS            | Gov Rec<br>GR<br>FTE | Gov Rec<br>FED<br>DOLLARS | Gov Rec<br>FED<br>FTE | Gov Rec<br>OTHER<br>DOLLARS | Gov Rec<br>OTHER<br>FTE | Gov Rec<br>TOTAL<br>DOLLARS | Gov Rec<br>TOTAL<br>FTE | Gov Rec<br>One-Time<br>DOLLARS E |
| Total PS                      | 0                                   | 0.0                  | 0                         | 0.0                   | 0                           | 0.0                     | 0                           | 0.0                     | 0                                |
|                               |                                     |                      |                           |                       |                             |                         | 0                           | 0                       | 0.0                              |
| Total EE                      | 0                                   | 0                    | 0                         | 0                     | 0                           | 0                       | 0                           | 0                       | 0                                |
| Program Distributions         |                                     |                      |                           |                       |                             |                         | 0                           | 0                       | 0                                |
| Total PSD                     | 0                                   | 0                    | 0                         | 0                     | 0                           | 0                       | 0                           | 0                       | 0                                |
| Transfers                     |                                     |                      |                           |                       |                             |                         | 500,000                     | 500,000                 | 0                                |
| Total TRF                     | 0                                   | 0                    | 0                         | 0                     | 0                           | 0                       | 500,000                     | 500,000                 | 0                                |
| Grand Total                   | 0                                   | 0.0                  | 0                         | 0.0                   | 0                           | 0.0                     | 500,000                     | 0.0                     | 0                                |

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM DETAIL**

| Budget Unit                              | FY 2018<br>ACTUAL<br>DOLLAR | FY 2018<br>ACTUAL<br>FTE | FY 2019<br>BUDGET<br>DOLLAR | FY 2019<br>BUDGET<br>FTE | FY 2020<br>DEPT REQ<br>DOLLAR | FY 2020<br>DEPT REQ<br>FTE | FY 2020<br>GOV REC<br>DOLLAR | FY 2020<br>GOV REC<br>FTE |
|--|-----------------------------|--------------------------|-----------------------------|--------------------------|-------------------------------|----------------------------|------------------------------|---------------------------|
| <b>DEBT OFFSET ESCROW FUND</b>           |                             |                          |                             |                          |                               |                            |                              |                           |
| Debt Offset Transfer Authority - 1151003 |                             |                          |                             |                          |                               |                            |                              |                           |
| TRANSFERS OUT                            | 0                           | 0.00                     | 0                           | 0.00                     | 500,000                       | 0.00                       | 500,000                      | 0.00                      |
| <b>TOTAL - TRF</b>                       | <b>0</b>                    | <b>0.00</b>              | <b>0</b>                    | <b>0.00</b>              | <b>500,000</b>                | <b>0.00</b>                | <b>500,000</b>               | <b>0.00</b>               |
| <b>GRAND TOTAL</b>                       | <b>\$0</b>                  | <b>0.00</b>              | <b>\$0</b>                  | <b>0.00</b>              | <b>\$500,000</b>              | <b>0.00</b>                | <b>\$500,000</b>             | <b>0.00</b>               |
| GENERAL REVENUE                          | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       | \$0                          | 0.00                      |
| FEDERAL FUNDS                            | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       | \$0                          | 0.00                      |
| OTHER FUNDS                              | \$0                         | 0.00                     | \$0                         | 0.00                     | \$500,000                     | 0.00                       | \$500,000                    | 0.00                      |

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM SUMMARY**
**Budget Unit**

| Decision Item<br>Budget Object Summary<br>Fund | FY 2018<br>ACTUAL<br>DOLLAR | FY 2018<br>ACTUAL<br>FTE | FY 2019<br>BUDGET<br>DOLLAR | FY 2019<br>BUDGET<br>FTE | FY 2020<br>DEPT REQ<br>DOLLAR | FY 2020<br>DEPT REQ<br>FTE | FY 2020<br>GOV REC<br>DOLLAR | FY 2020<br>GOV REC<br>FTE |
|--|-----------------------------|--------------------------|-----------------------------|--------------------------|-------------------------------|----------------------------|------------------------------|---------------------------|
| <b>GRANTS</b>                                  |                             |                          |                             |                          |                               |                            |                              |                           |
| <b>CORE</b>                                    |                             |                          |                             |                          |                               |                            |                              |                           |
| PROGRAM-SPECIFIC                               |                             |                          |                             |                          |                               |                            |                              |                           |
| PUBLIC DEFENDER-FEDERAL & OTHR                 | 0                           | 0.00                     | 125,000                     | 0.00                     | 125,000                       | 0.00                       | 125,000                      | 0.00                      |
| TOTAL - PD                                     | 0                           | 0.00                     | 125,000                     | 0.00                     | 125,000                       | 0.00                       | 125,000                      | 0.00                      |
| <b>TOTAL</b>                                   | <b>0</b>                    | <b>0.00</b>              | <b>125,000</b>              | <b>0.00</b>              | <b>125,000</b>                | <b>0.00</b>                | <b>125,000</b>               | <b>0.00</b>               |
| <b>GRAND TOTAL</b>                             | <b>\$0</b>                  | <b>0.00</b>              | <b>\$125,000</b>            | <b>0.00</b>              | <b>\$125,000</b>              | <b>0.00</b>                | <b>\$125,000</b>             | <b>0.00</b>               |

### CORE DECISION ITEM

| Department: <u>Office of the State Public Defender</u>   | Budget Unit <u>1512005</u>  |  |                |                |   |                                   |             |             |                |                |   |
|--|-----------------------------|--|----------------|----------------|---|-----------------------------------|-------------|-------------|----------------|----------------|---|
| Division: <u>Public Defender</u>   |                             |  |                |                |   |                                   |             |             |                |                |   |
| Core: <u>Federal and Other Funds</u>   | HB Section <u>HB 12.400</u> |  |                |                |   |                                   |             |             |                |                |   |
| <b>1. CORE FINANCIAL SUMMARY</b>   |                             |  |                |                |   |                                   |             |             |                |                |   |
|  | FY 2020 Budget Request      |  |                |                |   | FY 2020 Governor's Recommendation |             |             |                |                |   |
|  | GR                          | Federal  | Other          | Total          | E | PS                                | GR          | Federal     | Other          | Total          | E |
| PS   | 0                           | 0  | 0              | 0              |   | PS                                | 0           | 0           | 0              | 0              |   |
| EE   | 0                           | 0  | 0              | 0              |   | EE                                | 0           | 0           | 0              | 0              |   |
| PSD  | 0                           | 0  | 125,000        | 125,000        |   | PSD                               | 0           | 0           | 0              | 0              |   |
| TRF  | 0                           | 0  | 0              | 0              |   | TRF                               | 0           | 0           | 125,000        | 125,000        |   |
| <b>Total</b>   | <b>0</b>                    | <b>0</b>   | <b>125,000</b> | <b>125,000</b> |   | <b>Total</b>                      | <b>0</b>    | <b>0</b>    | <b>125,000</b> | <b>125,000</b> |   |
| <b>FTE</b>   | <b>0.00</b>                 | <b>0.00</b>  | <b>0.00</b>    | <b>0.00</b>    |   | <b>FTE</b>                        | <b>0.00</b> | <b>0.00</b> | <b>0.00</b>    | <b>0.00</b>    |   |
| <i>Est. Fringe</i>   | 0                           | 0  | 0              | 0              |   | <i>Est. Fringe</i>                | 0           | 0           | 0              | 0              |   |
| <i>Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.</i> |                             | <i>Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.</i> |                |                |   |                                   |             |             |                |                |   |
| Other Funds:   |                             | Other Funds:   |                |                |   |                                   |             |             |                |                |   |
| <b>2. CORE DESCRIPTION</b>   |                             |  |                |                |   |                                   |             |             |                |                |   |
|  |                             |  |                |                |   |                                   |             |             |                |                |   |
|  |                             |  |                |                |   |                                   |             |             |                |                |   |
|  |                             |  |                |                |   |                                   |             |             |                |                |   |
|  |                             |  |                |                |   |                                   |             |             |                |                |   |
|  |                             |  |                |                |   |                                   |             |             |                |                |   |
|  |                             |  |                |                |   |                                   |             |             |                |                |   |
| <b>3. PROGRAM LISTING (list programs included in this core funding)</b>  |                             |  |                |                |   |                                   |             |             |                |                |   |
|  |                             |  |                |                |   |                                   |             |             |                |                |   |
|  |                             |  |                |                |   |                                   |             |             |                |                |   |
|  |                             |  |                |                |   |                                   |             |             |                |                |   |
|  |                             |  |                |                |   |                                   |             |             |                |                |   |

Appropriation is requested to have spending authority should Federal or other funds become available during Fiscal Year 2019 to assist in funding the State Public Defender System.

## CORE DECISION ITEM

**Department:** Office of the State Public Defender

**Budget Unit** 1512005

**Division:** Public Defender

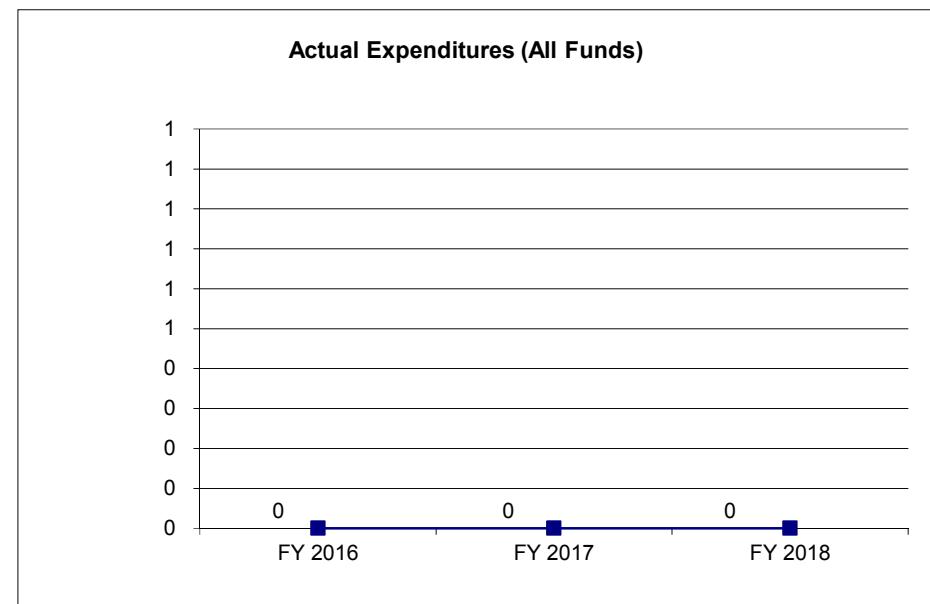
**Core:** Federal and Other Funds

**HB Section** HB 12.400

### 4. FINANCIAL HISTORY

|                                 | FY 2016<br>Actual | FY 2017<br>Actual | FY 2018<br>Actual | FY 2019<br>Current Yr. |
|---------------------------------|-------------------|-------------------|-------------------|------------------------|
| Appropriation (All Funds)       | 125,000           | 125,000           | 125,000           | 125,000                |
| Less Reverted (All Funds)       | 0                 | 0                 | 0                 | 0                      |
| Less Restricted (All Funds)*    | 0                 | 0                 | 0                 | 0                      |
| Budget Authority (All Funds)    | 125,000           | 125,000           | 125,000           | 125,000                |
| Actual Expenditures (All Funds) | 0                 | 0                 | 0                 | N/A                    |
| Unexpended (All Funds)          | 125,000           | 125,000           | 125,000           | 0                      |
| Unexpended, by Fund:            |                   |                   |                   |                        |
| General Revenue                 | 0                 | 0                 | 0                 | N/A                    |
| Federal                         | 0                 | 0                 | 0                 | N/A                    |
| Other                           | 0                 | 0                 | 0                 | N/A                    |

\*Restricted amount is \$0 as of September 17, 2018



Reverted includes the statutory three-percent reserve amount (when applicable).

Restricted includes any Governor's Expenditure Restrictions which remained at the end of the fiscal year (when applicable).

### NOTES:

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM DETAIL**

| Budget Unit           | FY 2018<br>ACTUAL<br>DOLLAR | FY 2018<br>ACTUAL<br>FTE | FY 2019<br>BUDGET<br>DOLLAR | FY 2019<br>BUDGET<br>FTE | FY 2020<br>DEPT REQ<br>DOLLAR | FY 2020<br>DEPT REQ<br>FTE | FY 2020<br>GOV REC<br>DOLLAR | FY 2020<br>GOV REC<br>FTE |
|-----------------------|-----------------------------|--------------------------|-----------------------------|--------------------------|-------------------------------|----------------------------|------------------------------|---------------------------|
| <b>GRANTS</b>         |                             |                          |                             |                          |                               |                            |                              |                           |
| <b>CORE</b>           |                             |                          |                             |                          |                               |                            |                              |                           |
| PROGRAM DISTRIBUTIONS | 0                           | 0.00                     | 125,000                     | 0.00                     | 125,000                       | 0.00                       | 125,000                      | 0.00                      |
| <b>TOTAL - PD</b>     | <b>0</b>                    | <b>0.00</b>              | <b>125,000</b>              | <b>0.00</b>              | <b>125,000</b>                | <b>0.00</b>                | <b>125,000</b>               | <b>0.00</b>               |
| <b>GRAND TOTAL</b>    | <b>\$0</b>                  | <b>0.00</b>              | <b>\$125,000</b>            | <b>0.00</b>              | <b>\$125,000</b>              | <b>0.00</b>                | <b>\$125,000</b>             | <b>0.00</b>               |
| GENERAL REVENUE       | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       | \$0                          | 0.00                      |
| FEDERAL FUNDS         | \$0                         | 0.00                     | \$125,000                   | 0.00                     | \$125,000                     | 0.00                       | \$125,000                    | 0.00                      |
| OTHER FUNDS           | \$0                         | 0.00                     | \$0                         | 0.00                     | \$0                           | 0.00                       | \$0                          | 0.00                      |

**STATE OF MISSOURI**  
**FUND FINANCIAL SUMMARY**

DEPARTMENT: Public Defender  
 FUND NAME: Public Defender Federal and Other  
 FUND NUMBER: 0112

Statutory \_\_\_\_\_  
 Constitutional \_\_\_\_\_

Federal Fund  
 Administratively Created  
 Interest Deposited To Fund

Subject To Biennial Sweep  
 Subject to Other Sweeps

| <b>FUND OPERATIONS</b>                 | <b>FY 2018<br/>ADJUSTED<br/>APPROP</b> | <b>FY 2018<br/>ACTUAL<br/>SPENDING</b> | <b>FY 2019<br/>ADJUSTED<br/>APPROP</b> | <b>FY 2020<br/>REQUESTED</b> |
|--|--|--|--|------------------------------|
| BEGINNING CASH BALANCE                 | 0                                      | 0                                      | 0                                      | 0                            |
| RECEIPTS:                              |  |  |  |                              |
| REVENUE (Cash Basis: July 1 - June 30) | 0                                      | 0                                      | 0                                      | 0                            |
| TRANSFERS IN                           | 0                                      | 0                                      | 0                                      | 0                            |
| TOTAL RECEIPTS                         | 0                                      | 0                                      | 0                                      | 0                            |
| TOTAL RESOURCES AVAILABLE              | 0                                      | 0                                      | 0                                      | 0                            |
| APPROPRIATIONS (INCLUDES REAPPROPS):   |  |  |  |                              |
| OPERATING APPROPS                      | 125,000                                | 0                                      | 125,000                                | 125,000                      |
| TRANSFER APPROPS                       | 0                                      | 0                                      | 0                                      | 0                            |
| CAPITAL IMPROVEMENTS APPROPS           | 0                                      | 0                                      | 0                                      | 0                            |
| TOTAL APPROPRIATIONS                   | 125,000                                | 0                                      | 125,000                                | 125,000                      |
| <b>BUDGET BALANCE</b>                  | (125,000)                              | 0                                      | (125,000)                              | (125,000)                    |
| UNEXPENDED APPROPRIATION *             | 125,000                                | 0                                      | 125,000                                | 125,000                      |
| OTHER ADJUSTMENTS                      | 0                                      | 0                                      | 0                                      | 0                            |
| <b>ENDING CASH BALANCE</b>             | 0                                      | 0                                      | 0                                      | 0                            |
| <hr/>                                  |  |  |  |                              |
| <b>FUND OBLIGATIONS</b>                |  |  |  |                              |
| <b>ENDING CASH BALANCE</b>             | 0                                      | 0                                      | 0                                      | 0                            |
| OTHER OBLIGATIONS                      |  |  |  |                              |
| OUTSTANDING PROJECTS                   | 0                                      | 0                                      | 0                                      | 0                            |
| CASH FLOW NEEDS                        | 0                                      | 0                                      | 0                                      | 0                            |
| TOTAL OTHER OBLIGATIONS                | 0                                      | 0                                      | 0                                      | 0                            |
| <b>UNOBLIGATED CASH BALANCE</b>        | 0                                      | 0                                      | 0                                      | 0                            |

**REVENUE SOURCE:** Appropriation allows MSPD spending authority federal and/or other funds become available.

**FUND PURPOSE:** To assist in funding the State Public Defender System.

**EXPLANATION OF UNEXPENDED APPROPRIATION AMOUNT:**Currently there is no federal funding for the Public Defender.

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM SUMMARY**

| Budget Unit<br>Decision Item<br>Budget Object Summary<br>Fund | SUPPL DEPT<br>REQUEST<br>DOLLAR | SUPPL DEPT<br>REQUEST<br>FTE | SUPPL GOV<br>RECOMMENDED<br>DOLLAR | SUPPL GOV<br>RECOMMENDED<br>FTE | SUPPL GOV<br>REL RESERVE<br>DOLLAR | SUPPL GOV<br>REL RESERVE<br>FTE | SUPPL<br>MONTHS FOR | SUPPL<br>POSITION |
|---|---------------------------------|------------------------------|------------------------------------|---------------------------------|------------------------------------|---------------------------------|---------------------|-------------------|
| <b>OFFICE OF THE DIRECTOR</b>                                 |                                 |                              |                                    |                                 |                                    |                                 |                     |                   |
| Juvenile Advocacy Supplemental - 2151001                      |                                 |                              |                                    |                                 |                                    |                                 |                     |                   |
| PERSONAL SERVICES   |                                 |                              |                                    |                                 |                                    |                                 |                     |                   |
| GENERAL REVENUE   | 144,265                         | 2.50                         | 0                                  | 0.00                            | 0                                  | 0.00                            | 15                  | 11.00             |
| TOTAL - PS  | 144,265                         | 2.50                         | 0                                  | 0.00                            | 0                                  | 0.00                            | 15                  | 11.00             |
| EXPENSE & EQUIPMENT   |                                 |                              |                                    |                                 |                                    |                                 |                     |                   |
| GENERAL REVENUE   | 25,428                          | 0.00                         | 0                                  | 0.00                            | 0                                  | 0.00                            | 0                   | 0.00              |
| TOTAL - EE  | 25,428                          | 0.00                         | 0                                  | 0.00                            | 0                                  | 0.00                            | 0                   | 0.00              |
| <b>TOTAL</b>  | <b>169,693</b>                  | <b>2.50</b>                  | <b>0</b>                           | <b>0.00</b>                     | <b>0</b>                           | <b>0.00</b>                     | <b>15</b>           | <b>11.00</b>      |
| <b>GRAND TOTAL</b>  | <b>\$169,693</b>                | <b>2.50</b>                  | <b>\$0</b>                         | <b>0.00</b>                     | <b>\$0</b>                         | <b>0.00</b>                     | <b>\$15</b>         | <b>11.00</b>      |

### SUPPLEMENTAL NEW DECISION ITEM

Enter Department Name: Office of the State Public Defender House Bill Section HB 12.400

Enter Division Name: State Public Defender

Enter DI Name: Juvenile Advocacy Office - Supplemental Request

Original FY 2019 House Bill Section, if applicable Vetoed

#### **1. AMOUNT OF REQUEST**

##### FY 2019 Supplemental Budget Request

|              | GR             | Federal  | Other    | Total          | E |
|--------------|----------------|----------|----------|----------------|---|
| PS           | 144,265        | 0        | 0        | 144,265        |   |
| EE           | 25,428         | 0        | 0        | 25,428         |   |
| PSD          | 0              | 0        | 0        | 0              |   |
| TRF          | 0              | 0        | 0        | 0              |   |
| <b>Total</b> | <b>169,693</b> | <b>0</b> | <b>0</b> | <b>169,693</b> |   |

FTE            11.00            0.00            0.00            2.75

POSITIONS      11            0            0            0

NUMBER OF MONTHS POSITIONS ARE NEEDED:      3

**Est. Fringe**      182,690      0      0      78,641

Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Other Funds:

##### FY 2019 Supplemental Governor's Recommendation

|              | GR       | Federal  | Other    | Total    | E |
|--------------|----------|----------|----------|----------|---|
| PS           | 0        | 0        | 0        | 0        |   |
| EE           | 0        | 0        | 0        | 0        |   |
| PSD          | 0        | 0        | 0        | 0        |   |
| TRF          | 0        | 0        | 0        | 0        |   |
| <b>Total</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> |   |

FTE            0.00            0.00            0.00            0.00

POSITIONS      0            0            0            0

NUMBER OF MONTHS POSITIONS ARE NEEDED:        

**Est. Fringe**      0      0      0      0

Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Other Funds:

#### **2. WHY IS THIS SUPPLEMENTAL FUNDING NEEDED? INCLUDE THE FEDERAL OR STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS PROGRAM.**

In the Spring of 2013, the National Juvenile Defender Center issued an assessment of Missouri's system of juvenile indigent defense representation. The report was part of a national strategy to review state juvenile indigent defense delivery systems and to evaluate how effectively attorneys in juvenile court are fulfilling their constitutional and statutory obligations to their clients. (- Continued on Next Page)

## SUPPLEMENTAL NEW DECISION ITEM

|   |  |
|---|--|
| Enter Department Name: <u>Office of the State Public Defender</u>     | House Bill Section <u>HB 12.400</u>                              |
| Enter Division Name: <u>State Public Defender</u>                     |  |
| Enter DI Name: <u>Juvenile Advocacy Office - Supplemental Request</u> | Original FY 2019 House Bill Section, if applicable <u>Vetoed</u> |

The study concluded that "Missouri's indigent defense system is in crisis and has endured at least two decades of crushing caseloads and inadequate resources to provide its mandated services," and little to no attention has been paid to what this crisis has meant to poor children accused of a criminal offense. Specifically, it found that:

"children facing criminal or status offenses in Missouri's juvenile justice system frequently do so without the benefit of counsel or without adequate representation through all critical stages. There are significant gaps in both access to and quality of representation provided to youth that fall well below the standards established by the Institute of Judicial Administration and American Bar Association's *Juvenile Justice Standards*, the ABA *Rules of Professional Conduct*, the *Ten Core Principles for Juvenile Indigent Defense* established by NJDC and NJDS's newly released *National Juvenile Defense Standards*. Justice is often rationed to juveniles in Missouri for a variety of reasons, not the least of which is the crisis in the public defender system...."

Further, the NJDC assessment emphasized that "the defense lawyer plays a critical role for youth in delinquency court by protecting clients from unfairness, promoting accuracy in decision making, providing alternatives for decision makers, and monitoring institutional treatment, after care and reentry. Throughout the entire court process the juvenile defender is the individual responsible for bringing the child's perspective and interests before the court." Not only is the defense lawyer the child's voice, in order to adequately represent a child, they need to be knowledgeable in other areas including adolescent brain development, education law, childhood mental illnesses, trauma, and cognitive limitations, age-appropriate treatments and disposition options, and juvenile court practice and procedure. Specialization is critical when representing youth.

## SUPPLEMENTAL NEW DECISION ITEM

Enter Department Name: Office of the State Public Defender

House Bill Section HB 12.400

Enter Division Name: State Public Defender

Enter DI Name: Juvenile Advocacy Office - Supplemental Request

Original FY 2019 House Bill Section, if applicable Vetoed

**3. DESCRIBE THE DETAILED ASSUMPTIONS USED TO DERIVE THE SPECIFIC REQUESTED AMOUNT. (How did you determine that the requested number of FTE were appropriate? From what source or standard did you derive the requested levels of funding? Were alternatives such as outsourcing or automation considered? If based on new legislation, does request tie to TAFP fiscal note? If not, explain why.)**

### SIXTY FOUR PERCENT OF JUVENILES GO WITHOUT REPRESENTATION

Utilizing data provided from the Office of the State Court's Administrator (OSCA), there were 16,544 formal juvenile cases filed statewide in Fiscal Year 2017, of which 12,227 were abuse/neglect cases, leaving 4,317 juvenile cases where the juvenile was entitled to an attorney. Of the 4,317 juveniles, if only 13% (the last number provided by OSCA) were actually represented by private counsel, that leaves 3,756 juvenile cases where the juvenile needed a public defender. However, in the same fiscal year, MSPD provided representation in just 1,617 juvenile cases. Sixty four percent of children who had a delinquency petition filed with the court were not represented by the state's indigent defense organization.

Additionally, due to the legislature's successful adoption of Senate Bill 793 (Raise the Age) in 2018, children under the age of 17 will have their delinquency cases filed in juvenile court starting in January of 2021. The addition of this population of children in the juvenile justice system will result in the same need for specialized counsel. In fact, in 2018, MSPD provided representation in 735 cases in adult court where the defendant was less than 18 years old.

As a result of this finding, the Missouri Juvenile Justice Association is seeking a rule or statutory change to prohibit the waiver of counsel by juveniles (this need has become even more so given the Department of Justice's findings in its 2015 report on St. Louis County). In the meantime, MSPD is pursuing the reinstatement of the one Juvenile Advocacy Unit in the greater St. Louis area. (MSPD previously had these units in both St. Louis and in Kansas City, but had to relinquish them when trial division caseloads became too high and no additional personnel were added.)

MSPD is requesting juvenile attorney staffing at the recommended RubinBrown workload standards. MSPD is also seeking one additional attorney to represent juveniles certified to stand trial as an adult and to serve as a statewide juvenile resource attorney to assist local offices across the rest of the state.

**SUPPLEMENTAL NEW DECISION ITEM**

Enter Department Name: Office of the State Public Defender House Bill Section HB 12.400

Enter Division Name: State Public Defender

Enter DI Name: Juvenile Advocacy Office - Supplemental Request Original FY 2019 House Bill Section, if applicable Vetoed

**4. BREAK DOWN THE REQUEST BY BUDGET OBJECT CLASS, JOB CLASS, AND FUND SOURCE.**

| Budget Object Class/Job Class    | Dept Req<br>GR<br>DOLLARS | Dept Req<br>GR<br>FTE | Dept Req<br>FED<br>DOLLARS | Dept Req<br>FED<br>FTE | Dept Req<br>OTHER<br>DOLLARS | Dept Req<br>OTHER<br>FTE | Dept Req<br>TOTAL<br>DOLLARS | Dept Req<br>TOTAL<br>FTE | E |
|----------------------------------|---------------------------|-----------------------|----------------------------|------------------------|------------------------------|--------------------------|------------------------------|--------------------------|---|
| C00200 Secretary                 | 14,334                    | 0.5                   |                            |                        |                              |                          | 14,334                       | 0.5                      |   |
| C00300 Investigator              | 7,902                     | 0.3                   |                            |                        |                              |                          | 7,902                        | 0.3                      |   |
| C00350 Juvenile Disposition Spec | 10,296                    | 0.3                   |                            |                        |                              |                          | 10,296                       | 0.3                      |   |
| C00400 Assistant Public Defender | 90,126                    | 1.5                   |                            |                        |                              |                          | 90,126                       | 1.5                      |   |
| C00460 District Defender         | 21,607                    | 0.3                   |                            |                        |                              |                          | 21,607                       | 0.3                      |   |
| Total PS                         | <b>144,265</b>            | <b>2.8</b>            | <b>0</b>                   | <b>0.0</b>             | <b>0</b>                     | <b>0.0</b>               | <b>144,265</b>               | <b>2.8</b>               |   |
| Travel/ 140                      | 6,000                     |                       |                            |                        |                              |                          | 6,000                        |                          |   |
| Supplies/ 190                    | 1,350                     |                       |                            |                        |                              |                          | 1,350                        |                          |   |
| Rent/ 680                        | 14,583                    |                       |                            |                        |                              |                          | 14,583                       |                          |   |
| Phones & Network Costs/ 340      | 1,620                     |                       |                            |                        |                              |                          | 1,620                        |                          |   |
| Professional                     | 1,875                     |                       |                            |                        |                              |                          | 1,875                        |                          |   |
| Total EE                         | <b>25,428</b>             |                       | <b>0</b>                   |                        | <b>0</b>                     |                          | <b>25,428</b>                |                          |   |
| Program Distributions            |                           |                       |                            |                        |                              |                          | 0                            |                          |   |
| Total PSD                        | <b>0</b>                  |                       | <b>0</b>                   |                        | <b>0</b>                     |                          | <b>0</b>                     |                          |   |
| Transfers                        |                           |                       |                            |                        |                              |                          | 0                            |                          |   |
| Total TRF                        | <b>0</b>                  |                       | <b>0</b>                   |                        | <b>0</b>                     |                          | <b>0</b>                     |                          |   |
| <b>Grand Total</b>               | <b>169,693</b>            | <b>2.8</b>            | <b>0</b>                   | <b>0.0</b>             | <b>0</b>                     | <b>0.0</b>               | <b>169,693</b>               | <b>2.8</b>               |   |

**SUPPLEMENTAL NEW DECISION ITEM**

Enter Department Name: Office of the State Public Defender House Bill Section HB 12.400

Enter Division Name: State Public Defender

Enter DI Name: Juvenile Advocacy Office - Supplemental Request Original FY 2019 House Bill Section, if applicable Vetoed

| Budget Object Class/Job Class    | Gov Rec<br>GR<br>DOLLARS | Gov Rec<br>GR<br>FTE | Gov Rec<br>FED<br>DOLLARS | Gov Rec<br>FED<br>FTE | Gov Rec<br>OTHER<br>DOLLARS | Gov Rec<br>OTHER<br>FTE | Gov Rec<br>TOTAL<br>DOLLARS | Gov Rec<br>TOTAL<br>FTE | E |
|----------------------------------|--------------------------|----------------------|---------------------------|-----------------------|-----------------------------|-------------------------|-----------------------------|-------------------------|---|
| C00200 Secretary                 | 0                        | 0.0                  |                           |                       |                             |                         | 0                           | 0.0                     |   |
| C00300 Investigator              | 0                        | 0.0                  |                           |                       |                             |                         | 0                           | 0.0                     |   |
| C00350 Juvenile Disposition Spec | 0                        | 0.0                  |                           |                       |                             |                         | 0                           | 0.0                     |   |
| C00400 Assistant Public Defender | 0                        | 0.0                  |                           |                       |                             |                         | 0                           | 0.0                     |   |
| C00460 District Defender         | 0                        | 0.0                  |                           |                       |                             |                         | 0                           | 0.0                     |   |
| <b>Total PS</b>                  | <b>0</b>                 | <b>0.0</b>           | <b>0</b>                  | <b>0.0</b>            | <b>0</b>                    | <b>0.0</b>              | <b>0</b>                    | <b>0.0</b>              |   |
| Travel/ 140                      | 0                        |                      |                           |                       |                             |                         | 0                           |                         |   |
| Supplies/ 190                    | 0                        |                      |                           |                       |                             |                         | 0                           |                         |   |
| Rent/ 680                        | 0                        |                      |                           |                       |                             |                         | 0                           |                         |   |
| Phones & Network Costs/ 340      | 0                        |                      |                           |                       |                             |                         | 0                           |                         |   |
| Professional                     | 0                        |                      |                           |                       |                             |                         | 0                           |                         |   |
| <b>Total EE</b>                  | <b>0</b>                 |                      | <b>0</b>                  |                       | <b>0</b>                    |                         | <b>0</b>                    |                         |   |
| Program Distributions            |                          |                      |                           |                       |                             |                         | 0                           |                         |   |
| <b>Total PSD</b>                 | <b>0</b>                 |                      | <b>0</b>                  |                       | <b>0</b>                    |                         | <b>0</b>                    |                         |   |
| Transfers                        |                          |                      |                           |                       |                             |                         | 0                           |                         |   |
| <b>Total TRF</b>                 | <b>0</b>                 |                      | <b>0</b>                  |                       | <b>0</b>                    |                         | <b>0</b>                    |                         |   |
| <b>Grand Total</b>               | <b>0</b>                 | <b>0.0</b>           | <b>0</b>                  | <b>0.0</b>            | <b>0</b>                    | <b>0.0</b>              | <b>0</b>                    | <b>0.0</b>              |   |

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM DETAIL**

| Budget Unit                              | SUPPL DEPT       | SUPPL DEPT  | SUPPL GOV   | SUPPL GOV   | SUPPL GOV   | SUPPL GOV   | SUPPL       | SUPPL        |
|--|------------------|-------------|-------------|-------------|-------------|-------------|-------------|--------------|
| Decision Item                            | REQUEST          | REQUEST     | RECOMMENDED | RECOMMENDED | REL RESERVE | REL RESERVE | MONTHS FOR  | POSITION     |
| Budget Object Class                      | DOLLAR           | FTE         | DOLLAR      | FTE         | DOLLAR      | FTE         |             |              |
| <b>OFFICE OF THE DIRECTOR</b>            |                  |             |             |             |             |             |             |              |
| Juvenile Advocacy Supplemental - 2151001 |                  |             |             |             |             |             |             |              |
| SECRETARY                                | 14,334           | 0.50        | 0           | 0.00        | 0           | 0.00        | 3           | 2.00         |
| INVESTIGATOR                             | 7,902            | 0.25        | 0           | 0.00        | 0           | 0.00        | 3           | 1.00         |
| MITIGATION SPECIALIST                    | 10,296           | 0.25        | 0           | 0.00        | 0           | 0.00        | 3           | 1.00         |
| ASSISTANT PUBLIC DEFENDER                | 90,126           | 1.25        | 0           | 0.00        | 0           | 0.00        | 3           | 6.00         |
| DISTRICT DEFENDER                        | 21,607           | 0.25        | 0           | 0.00        | 0           | 0.00        | 3           | 1.00         |
| <b>TOTAL - PS</b>                        | <b>144,265</b>   | <b>2.50</b> | <b>0</b>    | <b>0.00</b> | <b>0</b>    | <b>0.00</b> | <b>15</b>   | <b>11.00</b> |
| TRAVEL, IN-STATE                         | 6,000            | 0.00        | 0           | 0.00        | 0           | 0.00        | 0           | 0.00         |
| SUPPLIES                                 | 1,350            | 0.00        | 0           | 0.00        | 0           | 0.00        | 0           | 0.00         |
| COMMUNICATION SERV & SUPP                | 1,620            | 0.00        | 0           | 0.00        | 0           | 0.00        | 0           | 0.00         |
| PROFESSIONAL SERVICES                    | 1,875            | 0.00        | 0           | 0.00        | 0           | 0.00        | 0           | 0.00         |
| BUILDING LEASE PAYMENTS                  | 14,583           | 0.00        | 0           | 0.00        | 0           | 0.00        | 0           | 0.00         |
| <b>TOTAL - EE</b>                        | <b>25,428</b>    | <b>0.00</b> | <b>0</b>    | <b>0.00</b> | <b>0</b>    | <b>0.00</b> | <b>0</b>    | <b>0.00</b>  |
| <b>GRAND TOTAL</b>                       | <b>\$169,693</b> | <b>2.50</b> | <b>\$0</b>  | <b>0.00</b> | <b>\$0</b>  | <b>0.00</b> | <b>\$15</b> | <b>11.00</b> |
| GENERAL REVENUE                          | \$169,693        | 2.50        | \$0         | 0.00        | \$0         | 0.00        | \$15        | 11.00        |
| FEDERAL FUNDS                            | \$0              | 0.00        | \$0         | 0.00        | \$0         | 0.00        | \$0         | 0.00         |
| OTHER FUNDS                              | \$0              | 0.00        | \$0         | 0.00        | \$0         | 0.00        | \$0         | 0.00         |

**OFFICE OF THE STATE PUBLIC DEFENDER**
**DECISION ITEM SUMMARY**
**Budget Unit**
**Decision Item**
**Budget Object Summary  
Fund**

| SUPPL DEPT<br>REQUEST<br>DOLLAR | SUPPL DEPT<br>REQUEST<br>FTE | SUPPL GOV<br>RECOMMENDED<br>DOLLAR | SUPPL GOV<br>RECOMMENDED<br>FTE | SUPPL GOV<br>REL RESERVE<br>DOLLAR | SUPPL GOV<br>REL RESERVE<br>FTE | SUPPL<br>MONTHS FOR | SUPPL<br>POSITION |
|---------------------------------|------------------------------|------------------------------------|---------------------------------|------------------------------------|---------------------------------|---------------------|-------------------|
|---------------------------------|------------------------------|------------------------------------|---------------------------------|------------------------------------|---------------------------------|---------------------|-------------------|

**DEBT OFFSET ESCROW FUND**
**Debt Offset Transfer Authority - 2151002**
**FUND TRANSFERS**

|                    |                  |             |                  |             |            |             |            |             |
|--------------------|------------------|-------------|------------------|-------------|------------|-------------|------------|-------------|
| DEBT OFFSET ESCROW | 500,000          | 0.00        | 500,000          | 0.00        | 0          | 0.00        | 0          | 0.00        |
| TOTAL - TRF        | 500,000          | 0.00        | 500,000          | 0.00        | 0          | 0.00        | 0          | 0.00        |
| <b>TOTAL</b>       | <b>500,000</b>   | <b>0.00</b> | <b>500,000</b>   | <b>0.00</b> | <b>0</b>   | <b>0.00</b> | <b>0</b>   | <b>0.00</b> |
| <b>GRAND TOTAL</b> | <b>\$500,000</b> | <b>0.00</b> | <b>\$500,000</b> | <b>0.00</b> | <b>\$0</b> | <b>0.00</b> | <b>\$0</b> | <b>0.00</b> |

### SUPPLEMENTAL NEW DECISION ITEM

Enter Department Name: Office of the State Public Defender House Bill Section HB 12.400

Enter Division Name: Public Defender

Enter DI Name: Increase in Transfer Authority from Debt Offset

Original FY 2019 House Bill Section, if applicable HB 12.400

#### 1. AMOUNT OF REQUEST

##### FY 2019 Supplemental Budget Request

|              | GR       | Federal  | Other          | Total          | E |
|--------------|----------|----------|----------------|----------------|---|
| PS           | 0        | 0        | 0              | 0              |   |
| EE           | 0        | 0        | 0              | 0              |   |
| PSD          | 0        | 0        | 0              | 0              |   |
| TRF          | 0        | 0        | 500,000        | 500,000        |   |
| <b>Total</b> | <b>0</b> | <b>0</b> | <b>500,000</b> | <b>500,000</b> |   |

FTE 0.00      0.00      0.00      0.00

POSITIONS 0      0      0      0

NUMBER OF MONTHS POSITIONS ARE NEEDED: \_\_\_\_\_

**Est. Fringe**      0      0      0      0

Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Other Funds: Legal Defense & Defender Funds

##### FY 2019 Supplemental Governor's Recommendation

|              | GR       | Federal  | Other          | Total          | E |
|--------------|----------|----------|----------------|----------------|---|
| PS           | 0        | 0        | 0              | 0              |   |
| EE           | 0        | 0        | 0              | 0              |   |
| PSD          | 0        | 0        | 0              | 0              |   |
| TRF          | 0        | 0        | 500,000        | 500,000        |   |
| <b>Total</b> | <b>0</b> | <b>0</b> | <b>500,000</b> | <b>500,000</b> |   |

FTE 0.00      0.00      0.00      0.00

POSITIONS 0      0      0      0

NUMBER OF MONTHS POSITIONS ARE NEEDED: \_\_\_\_\_

**Est. Fringe**      0      0      0      0

Note: Fringes budgeted in House Bill 5 except for certain fringes budgeted directly to MoDOT, Highway Patrol, and Conservation.

Other Funds:

#### 2. WHY IS THIS SUPPLEMENTAL FUNDING NEEDED? INCLUDE THE FEDERAL OR STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS PROGRAM.

##### Increase in Transfer Authority for the Debt Offset Transfer Appropriation

**\$500,000**

When Public Defender fees are intercepted from prior client's Missouri State Tax refunds, the Department of Revenue places the intercepted dollars in temporary escrow fund. MSPD's FY19 appropriation (spending authority) from this fund is currently set at \$1,200,000. As the intercepts exceeded the appropriation limit in FY18 by approximately \$250,000, that \$250,000 was transferred at the beginning of FY2019. This transfer at the beginning of FY19, will cause the FY19 appropriation to be insufficient. If the collection of fees remains constant from FY18 to FY19, the insufficiency will be doubled.

The statutory authority for setting off debts owed to the State of Missouri against tax refunds is RSMo.143.786

### SUPPLEMENTAL NEW DECISION ITEM

Enter Department Name: Office of the State Public Defender House Bill Section HB 12.400

Enter Division Name: Public Defender

Enter DI Name: Increase in Transfer Authority from Debt Offset Original FY 2019 House Bill Section, if applicable HB 12.400

**3. DESCRIBE THE DETAILED ASSUMPTIONS USED TO DERIVE THE SPECIFIC REQUESTED AMOUNT.** (How did you determine that the requested number of FTE were appropriate? From what source or standard did you derive the requested levels of funding? Were alternatives such as outsourcing or automation considered? If based on new legislation, does request tie to TAFP fiscal note? If not, explain why.)

As the intercepts exceeded the appropriation limit in FY18 by approximately \$250,000, that \$250,000 was transferred at the beginning of FY2019. This transfer at the beginning of FY19, will cause the FY19 appropriation to be insufficient. If the collection of fees remains constant from FY18 to FY19, the insufficiency will be doubled.

**4. BREAK DOWN THE REQUEST BY BUDGET OBJECT CLASS, JOB CLASS, AND FUND SOURCE.**

| Budget Object Class/Job Class | Dept Req<br>GR<br>DOLLARS | Dept Req<br>GR<br>FTE | Dept Req<br>FED<br>DOLLARS | Dept Req<br>FED<br>FTE | Dept Req<br>OTHER<br>DOLLARS | Dept Req<br>OTHER<br>FTE | Dept Req<br>TOTAL<br>DOLLARS | Dept Req<br>TOTAL<br>FTE | E       |
|-------------------------------|---------------------------|-----------------------|----------------------------|------------------------|------------------------------|--------------------------|------------------------------|--------------------------|---------|
| Total PS                      | 0                         | 0.0                   | 0                          | 0.0                    | 0                            | 0.0                      | 0                            | 0                        | 0.0     |
|                               |                           |                       |                            |                        |                              |                          | 0                            | 0                        | 0.0     |
|                               |                           |                       |                            |                        |                              |                          | 0                            | 0                        | 0.0     |
| Total EE                      | 0                         |                       | 0                          |                        | 0                            |                          | 0                            |                          | 0       |
| Program Distributions         |                           |                       |                            |                        |                              |                          | 0                            |                          | 0       |
| Total PSD                     | 0                         |                       | 0                          |                        | 0                            |                          | 0                            |                          | 0       |
| Transfers                     |                           |                       |                            |                        | 500,000                      |                          | 500,000                      |                          | 500,000 |
| Total TRF                     | 0                         |                       | 0                          |                        | 500,000                      |                          | 500,000                      |                          | 500,000 |
| Grand Total                   | 0                         | 0.0                   | 0                          | 0.0                    | 500,000                      | 0.0                      | 500,000                      | 0.0                      |         |

**SUPPLEMENTAL NEW DECISION ITEM**

Enter Department Name: Office of the State Public Defender House Bill Section HB 12.400

Enter Division Name: Public Defender

Enter DI Name: Increase in Transfer Authority from Debt Offset Original FY 2019 House Bill Section, if applicable HB 12.400

| Budget Object Class/Job Class | Gov Rec<br>GR<br>DOLLARS | Gov Rec<br>GR<br>FTE | Gov Rec<br>FED<br>DOLLARS | Gov Rec<br>FED<br>FTE | Gov Rec<br>OTHER<br>DOLLARS | Gov Rec<br>OTHER<br>FTE | Gov Rec<br>TOTAL<br>DOLLARS | Gov Rec<br>TOTAL<br>FTE | E   |
|-------------------------------|--------------------------|----------------------|---------------------------|-----------------------|-----------------------------|-------------------------|-----------------------------|-------------------------|-----|
| Total PS                      | 0                        | 0.0                  | 0                         | 0.0                   | 0                           | 0.0                     | 0                           | 0                       | 0.0 |
| Total EE                      | 0                        |                      | 0                         |                       | 0                           |                         | 0                           |                         | 0   |
| Program Distributions         |                          |                      |                           |                       |                             |                         | 0                           |                         |     |
| Total PSD                     | 0                        |                      | 0                         |                       | 0                           |                         | 0                           |                         |     |
| Transfers                     |                          |                      |                           |                       | 500,000                     |                         | 500,000                     |                         |     |
| Total TRF                     | 0                        |                      | 0                         |                       | 500,000                     |                         | 500,000                     |                         |     |
| <b>Grand Total</b>            | <b>0</b>                 | <b>0.0</b>           | <b>0</b>                  | <b>0.0</b>            | <b>500,000</b>              | <b>0.0</b>              | <b>500,000</b>              | <b>0.0</b>              |     |